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Greece: Failures in the promotion and protection of the identity of religious minorities

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With three judgments *Dimitras and others v. Greece* Nos. 1, 2 and 3, in June 2010, November 2011 and January 2013, the **European Court of Human Rights (ECtHR)** found Greece to violate religious freedom (Article 9 ECHR) by requiring the applicants to reveal their mostly atheist religious convictions in order to be allowed to make a solemn declaration instead of taking a religious oath in court proceedings. As a consequence of the first two judgments and while the third application was under review by the ECtHR, on 2 April 2012, Greece amended the oath taking procedure abolishing the registration of one's religion and replacing the presumption of every witness' religion as Orthodox Christian by a question on whether s/he would like to take a religious oath or a secular affirmation. Yet, more than eighteen months later, GHM has a large file of over one hundred statements made in judicial procedures (including before an Assistant Prosecutor of the Supreme Court on 24 September 2013 – see photo overleaf) in which religion continues to be declared and registered and witnesses continue to be presumed as Orthodox Christian, now in violation of both domestic and international law.

Moreover, since the ethnic identity of the large majority of Thrace Muslim is Turkish, the authorities' persistent denial of that identity and continuing ban of Turkish associations despite ECtHR judgments is an effective denial of those Muslims' rights. In fact, even the use of their Turkish mother tongue is formally or de facto restricted. In regions of all other EU countries populated by significant ethno-linguistic minorities, bilingual signs prevail, as called for inter alia by the Framework Convention for the Protection of National Minorities (FCNM). In Thrace such signs are absent as Greece is one of the rare EU countries that has not ratified the FCNM. Turkish is taught in minority schools only because of the Treaty of Lausanne signed 90 years ago and Greece's need to maintain similar Greek-language minority schools in Turkey.

However, the use of the Turkish language in public institutions by minority members is effectively discouraged. A few weeks ago, in Komotini –Greece's city with the largest Turkish minority population-, a state hospital manager issued a circular prohibiting the use of "incomprehensible" languages between (Turkish-speaking) patients and doctors in the emergency rooms.

Most importantly at the symbolic level, in an academic conference on the 90 years of the Treaty of Lausanne held on 22 and 23 November 2013 in the Komotini regional government premises and organized by two state institutions, the foreign policy think-tank ELIAMEP and the EU-co-funded Program for the Education of Muslim Minority Children (PEM), Turkish minority journalist Evren Dede was not allowed to make his speech in Turkish, following an intervention by the high level representatives of the Ministry of Education and the Foreign Ministry participating in the conference. This occurred although interpretation was provided and it was used on the following day during the speech of a Strasbourg-based Turkish academic. As a result, three speakers, the current or former Turkish minority Members of Parliament Ayhan Karayusuf, Ilhan Ahmet and Mustafa Mustafa, withdrew. To the amazement of many, the Greek speakers who are prominent academics, the former European Ombudsman Nikiforos Diamantouros, the former Vice-President of the European Court of Human Rights Christos Rozakis, the co-directors of the PEM Thalia Dragona and Anna Frangoudaki, as well as Yannis Ktistakis, Nelli Akouni, Hercules Millas, Kostas Tsitselikis, Loukas Tsoukalis and Dia Anagnostou, all authors of commendable texts on that minority and/or on Greek nationalism, did not use their combined authority to impose reversing that decision nor did they walk out in solidarity with the Turkish minority leaders. Their attitude seriously damaged years-long efforts to bridge the confidence gap between the majority and the minority in Thrace.