



RESOLUTION

The Federation of Western Thrace Turks in Europe (ABTTF) and Western Thrace Minority University Graduates Association (WTMUGA)

The Assembly of Delegates of the Federal Union of European Nationalities (FUEN) adopts at its meeting in Moscow, Russia, on 19 May 2012 the following resolution

Submitted originally in the English language

The right of the Turkish Minority of Western Thrace to establish and maintain its own associations is not respected by the Greek State. The Turkish Minority of Western Thrace is not allowed to use the words “Turk” and “Turkish” in titles and signboards of its associations on the ground that the use of the word “Turkish” in titles of associations constitutes a threat to public order and territorial integrity. The associations, which had denomination “Turk” and/or “Turkish” in their names, have been dissolved by court judgment and not registered.

On March 27, 2008, the European Court of Human Rights (ECtHR) notified in writing its Chamber judgments in the cases of *Emin and Others v. Greece* (application no. 34144/05) and *Tourkiki Enosis Xanthis and Others v. Greece* (no. 26698/05). The Court held unanimously that there had been a violation of Article 11 (freedom of assembly and association) of the European Convention on Human Rights in both cases, which concern associations founded by persons belonging to the Muslim minority of Western Thrace (Greece). In the case of *Tourkiki Enosis Xanthis and Others* the ECtHR also held, unanimously, that there had been a violation of Article 6 § 1 (right to a fair hearing within a reasonable time) of the Convention.

Further to the European Court of Human Rights judgments, the applicants requested the cancellation of the decision dissolving them or submitted a new registration of their associations before the national courts, of which domestic proceedings are still pending at the national courts. This failure in execution or enforcement of the judgments of ECtHR by Greece constitutes an important obstacle for the Turkish Minority of Western Thrace in use of its right to access justice.

Together with the problems in implementation of ECtHR’s judgments regarding the cases of *Tourkiki Enosis Xanthis and Others* and *Emin and Others*, there is the problem that associations, which bear the title “minority”, are not being registered in Greece, although the ECtHR ruled that Greece had violated the freedom of association of *Evros Minority Youth Association* in the case of *Bekir-Ousta and Others vs. Greece*. The requests for registration of *South Evros Minority Educational and Cultural Association* and *Evrenköy Minority Culture, Folklore and Education Association* were dismissed by national courts on grounds that the word “minority” in its title was specified neither as “Muslim” nor as “Turkish”.



FUEN

FEDERAL UNION OF EUROPEAN NATIONALITIES
FÖDERALISTISCHE UNION EUROPÄISCHER VOLKSGRUPPEN
ФЕДЕРАЛИСТСКИЙ СОЮЗ ЕВРОПЕЙСКИХ НАЦИОНАЛЬНЫХ МЕНЬШИНСТВ
UNION FÉDÉRALISTE DES COMMUNAUTÉS ETHNIQUES EUROPÉENNES

- Considering that the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities contribute to the political and social stability of States in which they live,
- Recalling Article 2 of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities that persons belonging to minorities have the right to establish and maintain their own associations,
- Recalling the Greek Constitution that all Greeks are equal before the law and that all persons possessing the qualifications for citizenship as specified by law are Greek citizens and Greeks shall have the right to form non-profit associations and unions,
- Reminding the Article 46 of the Convention for the Protection of Human Rights and Fundamental Freedoms on binding force and execution of judgments that the High Contracting Parties undertake to abide by the final judgment of the Court in any case to which they are parties,

the Federal Union of European Nationalities (FUEN) calls upon the Greek State to:

- Guarantee the effective enjoyment of the Turkish Minority of Western Thrace its right to freedom of association without discrimination of any kind,
- Execute or enforce ECtHR's judgments related to the Turkish Minority of Western Thrace and ensure that Greece fulfils its obligations arising from the Convention for the Protection of Human Rights and Fundamental Freedoms.