

THE EVOLUTION OF THE MINORITY RIGHTS AND THE CONTINUITY  
AND CHANGE OF THE GREEK MINORITY POLICIES IN WESTERN  
THRACE

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Approval of the Graduate School of Social Sciences

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# ABSTRACT

## THE EVOLUTION OF THE MINORITY RIGHTS AND THE CONTINUITY AND CHANGE OF THE GREEK MINORITY POLICIES IN WESTERN THRACE

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This thesis analyzes the evolution of minority protection in general and Greece's minority policies in Western Thrace especially since the beginning of 1990s. The examination of the definition and the scope of the term minority is followed by the analysis of the evolution of minority rights since Westphalia Agreement to Framework Convention for Protection of National Minorities to facilitate the analysis of the evolution of Greek minority policies. The thesis includes the history of Greek minority policy since its establishment to compare and contrast the continuities and changes of the Greek minority policies before and after 1990s. This thesis also seeks to find the causes of continuities and changes of the Greek minority policy along with detailed analysis of the policies and practices after 1990s, and argues that the Greek minority policy in Western Thrace basically presents continuity with its exclusivist and ethnocentric tendencies in spite of minor modifications due to the circumstantial factors.

Keywords: Minority Rights, Greek Minority Policy, Western Thrace, Continuity and Change

# ÖZ

## AZINLIK HAKLARININ GELİŞİMİ VE YUNANİSTAN'IN BATI TRAKYA'DAKİ AZINLIK POLİTİKALARINDA DEVAMLILIK VE DEĞİŞİMLER

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Bu tez genel olarak azınlık korunmasının gelişimini ve Yunanistan'ın, özellikle 1990'ların başından itibaren, Batı Trakya'daki azınlık politikalarını analiz etmektedir. Azınlık teriminin tanımı ve alanı hakkındaki araştırmayı Yunan azınlık politikalarının gelişiminin daha kolay incelenmesi amacıyla Westphalia Anlaşması'ndan Ulusal Azınlıkların Korunmasına İlişkin Çerçeve Sözleşmeye dek azınlık haklarının gelişiminin analiz edilmesi takip etmiştir. Bu tez, 1990 öncesi ve sonrası Yunan politikalarının devamlılık ve değişimi karşılaştırmasının yapılabilmesi için Yunan azınlık politikalarının kuruluşundan itibaren tarihini de içermektedir. Ayrıca bu tez, 1990'lardan sonraki Yunanistan politikaları ve uygulamalarının detaylı analizini yapmak suretiyle Yunan azınlık politikalarındaki devamlılık ve değişimlerin sebeplerini de araştırmakta olup, Batı Trakya'daki Yunan azınlık politikalarının bazı çevresel faktörlerden dolayı küçük değişikliklere uğramasına rağmen temelde ayrımcı ve etnik köken merkezli eğilimleri ile birlikte devamlılık gösterdiğini savunmaktadır.

Anahtar Kelimeler: Azınlık Hakları, Yunan Azınlık Politikası, Batı Trakya, Devamlılık ve Değişim

To My Family

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# CHAPTER 1

## INTRODUCTION

Goldenhuys summarizes the basis and the importance of the conflicts between majority and minority groups in affecting the direction of international politics as:

*Of the 27 notable conflicts that afflicted the world last year, 25 were within countries between communities – and not between countries. Most of these conflicts, in turn, had their roots in the inability of ethnic, cultural or religious communities to coexist peacefully. Tensions between communities within the same societies most often arise when such communities believe that their core interests are being threatened or that their basic rights are being ignored.<sup>1</sup>*

According to the statistics given by the ‘states’, more than 20% of the world’s population covering more than 200 states identify themselves as belonging to 6000 different minority communities which signifies the wide scope of the minority issue that influences almost all nation-states of the world.<sup>2</sup> Nevertheless, the minority question is also one of the most controversial and complex subjects of the modern international system in which the interests of the majority and minority groups conflict with each other. Thus, for more than three centuries, the parties of the conflict could not find a solution to or even stop the clashes emanating from the majority-minority controversy.

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<sup>1</sup> Deon Goldenhuys and Johann Roussouw, *The International Protection of Minority Rights*, (University of Lyon, 2001), p.1 (A special report compiled for the FW de Klerk Foundation).

<sup>2</sup> Minority Rights Group, “Introduction to the World Directory of Minorities”, April 1997, p.1. Available at: [www.geocities.com/Athens/Delphi/6509/wdm.html](http://www.geocities.com/Athens/Delphi/6509/wdm.html), accessed on 15.01.2005.

The Balkan region is one of the most ethnically-mixed regions of the world in which the projected national borders of the states overlap with each other. Hence, the states in the Balkans have been in a rivalry to acquire the projected borders that led to the several wars and exchange of territory which created so many minority groups in all of the states of the region.

Greece is one of the states in the Balkans which was established with the aim of irredentist ambitions in 19<sup>th</sup> century to create the Greater Greece which would comprise of the regions inhabited by Greek population. However, the expansion of Greece towards the Aegean Macedonia and Western Thrace entailed the inclusion of several ethnic and religious minority groups of which the Turkish minority of Western Thrace is the subject of this thesis.

Greece with its unique culture and characteristics in the region applied different minority policies and strategies in Western Thrace determined by the network of numerous factors. Until 1990s, the most important factors determining the exclusivist, oppressive and assimilationist minority policies of Greece were the ethnocentric philosophy behind the formation of the Greek State, which has been the creation of the homogeneous and ethno-nationalist Greek State, and the insecurity feeling of Greece which has involved in rivalry with its neighbors. Following the collapse of the Eastern Bloc, particularly in mid-1990s, fundamental transformation took place. The changes such as democratization and liberalization of the politics, advance of technology and empowering of individuals and civil society caused the heightening sensitivity of the international community on the issue of minority rights. Thus, the Greek authorities have fallen into a dilemma between its security and homogeneity concerns and the pressure coming from the international and domestic organizations for more liberal minority policies which forced the Greek governments to revise their minority policies to cope with the pressure coming from both sides.

The basic aim of this study is to analyze the evolution of the minority protection in the world since Westphalia Agreement to the Framework Convention for

Protection of National Minorities and the continuity and change of the Greek minority policy particularly in the 1990s by identifying the factors behind the continuation of the Greek minority policy in its essence except minor revisions in this period. The most of the studies on the subject of Greek minority policy end with the beginning of the 1990s, and do not cover the changes of the Greek minority policy after the period of 1990s, and most of them have a partial point of view focusing on just the negative or positive parts of the topic. This work will attempt to present a wider scope of the Greek minority policy by focusing on the continuity and change of the policies in 1990s with an objective point of view presenting the ideas of both sides of the argument, and especially by referencing the reports of the impartial non-governmental organizations. In addition, the debates on the definition of the minority groups, the historical background of the concept and contextual framework of minority protection, and the history of Greek minority policies since its establishment are included to clarify the general tendencies of the international actors and Greece on the question of minority protection.

In the first chapter of this study, the attempts for the definition of the term ‘minority’ are enumerated. The reasons for the difficulty of defining a minority group are argued, and until now, the inability of the actors related with the minority issue to find a universal definition for the term ‘minority’ is stressed. However, there are widely-agreed general characteristics of the minority groups, and these characteristics are specified. At the end of the chapter, the scope of the minority rights in terms of negative and positive rights are debated which would help the comprehension of the point that Greece has come in its policies on minority groups.

The second chapter is generally explaining the historical phases and the evolution of the minority protection, its context and the causes behind the major shifts of minority rights trends of the international actors. The history of minority protection is divided into five major phases in this section: Westphalia, Vienna, League of Nations, the Cold War and the after Cold War periods. All the

characteristics and differences of the phases are clarified in detail to grasp the evolution of minority policies in Greece from a wider perspective which is a reflection of the international tendencies on minority rights.

The third chapter explains the minority policies of Greece from its establishment to the beginning of 1990s. The international agreements signed by Greece and Greece's obligations towards the minority in Western Thrace resulting from the agreements are clarified. Besides, the continuities and changes of the Greek minority policy, the strategies applied in Western Thrace until 1990s are analyzed in four main sections. The significant, but superficial, minority policy change in the détente period with Turkey and the suppression period afterwards and their causes are important points of concern in this chapter.

The fourth chapter tries to answer the question, what are the main factors behind the circumstantial-based, on-the-surface changes and basic continuity in the Greek minority policy in 1990s. The chapter also examines the practices of the Greek government in Western Thrace to show and prove the continuity and change in its minority policy.

In short, the thesis aims to shed light on the history of suppression of majority on the minority groups which is full of rivalry and conflict. The same history applies to the Greek case in which the Turkish minority in Western Thrace suffered the exclusivist, suppressive and assimilationist policies of the Greek authorities. Although today, the suppressive measures of Greece lessened to the negligible levels, the special rights of the Turkish minority, which are the essences of minority rights for the survival of the minority groups, are still ignored. Thus, it can be argued that the basis of the minority policies of Greece have not changed yet, compared the periods before and after 1990s, and this policy is a revised reproduction created by the Greece's strong basis managing its minority policies.

## CHAPTER 2

### THE DEFINITION AND THE SCOPE OF THE TERM 'MINORITY'

The minority question is one of the most complex problems in front of the international community because of its subjectivity and blurred scope. The issue is subjective because all the states and minority groups try to define the question according to their interests, and according to the degree of the power that the minority groups attain inside the state borders. On the other hand, the issue has a very wide scope, because it concerns almost all of the states in the world except one or two homogenous small states, and includes all kinds of groups who are differentiating from the majority with one or more of their characteristics (ethnicity, religion, language, culture and so on), and the extent of rights (the negative and positive rights) has not been concluded by the international community yet. For these reasons, numerous models have been developed and numerous attempts have been made to reach an objective definition to the term 'minority' by various communities, states and minority groups; however, none was successful due to the complexity of the minority issue.

Like all the other social groupings, nation-states also have hierarchy and stratification inside their structures. The minority groups are generally defined as the lowest factions in the hierarchy of groups inside a nation-state in terms of their minimal power and numeric inferiority. As Goldman exemplifies:

*In his work on comparative ethnic relations, Schermerhorn's describes a power paradigm that uses relative size and direct access to power to*

*determine whether groups in a society are dominant or subordinate. According to Schermerhorn's characterization, if a group has both size and power it is the 'majority'. If it has size but does not have power he classifies it as the 'mass subjects'. If it has power but does not have size Schermerhorn assigns the label 'elite'. The group that has neither size nor power is classified as a 'minority'.<sup>3</sup>*

Namely, inside the structure of nation-states, the dominant group defines itself as 'we', and the state organization characterizes the features of the majority group, such as the official language is the dominant groups' language, the symbols of the majority group are the symbols of the state (ex: the national flag), the public service is dominated by the majority group and etc.<sup>4</sup> In contrast, the minority groups are generally identified as the 'other', and regarded as the 'second-class' citizens by the majority group which entailed the conflicts and rivalry between the majority and minority groups. The consequences of these exclusivist policies and conflicts have been usually ended up with assimilation or expulsion of the minority groups. Thus, to limit the ill-treatment of the states towards the minority groups, the international community began to search for precautions for the protection of minorities whose first step could be realized after the conclusion of a universal definition of the term 'minority' and clear determination of its scope.

## **2.1 The Definition and Its Problems**

Since the entrance of the term, 'minority', to the extent of the international law after the World War I, the problem of defining the minority groups has been an important question occupying the agenda of the international community. Until today, a consensus on the definition has not been found yet. The subjectivity of the criteria needed for a definition is one of the most important reasons for the lack of a clear definition of minority. The meaning of the term has been stretched by the states and minority groups related with their interests; so it becomes almost impossible to reach a compromise for its definition. On the other hand, the

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<sup>3</sup> Gustave Goldman, "Defining and Observing Minorities: An Objective Assessment", *Statistical Journal of the United Nations ECE*, Vol.18, 2001, p.206.

<sup>4</sup> Walter Kemp, "Applying the Nationality Principle: Handle With Care", *Journal on Ethnopolitics and Minority Issues in Europe*, Issue 4, 2002, p.2.

philosophy behind the formation of nation-states, the pre-contemplation of ethnic and cultural homogeneity within the national boundaries, clashes with the minority concept, and nation-states are basically inclined to deny the existence of minorities. In contrast, minority groups are biased against majority groups, and in case of any power-loss of the majority group or an outside assistance, minorities usually pursue secessionist policies for an autonomy or independence which highlights the security and unity concerns of states and entails the hardening of minority policies.

Nevertheless, there were several attempts to define the term ‘minority’ in the international arena. The Permanent Court of International Justice (PCIJ), which was a body of the League of Nations defined the mutually emigrating minority groups along the Greco-Bulgarian border in its advisory opinion as early as 1930 as:

*A group of persons living in a given country or locality having a race, religion, language and tradition in a sentiment of solidarity, with a view to preserving their traditions, maintaining their form of worship, ensuring the instruction and upbringing their children in accordance with the spirit and traditions of their race and mutually assisting one another.*<sup>5</sup>

The awareness and the will of the minority group for the preservation of its identity and culture is stressed in the definition of the PCIJ as the most important characteristic forming a minority group. The second attempt came from the United Nations Sub-Commission on Prevention of Discrimination and Protection of Minorities in 1950. As Minority Rights Group referred, in a proposal given to the Human Rights Committee, Sub-Commission suggested a definition:

*I- the term minority includes only those non-dominant groups in a population which possess and wish to preserve stable ethnic, religious or linguistic traditions or characteristics markedly different from those of the rest of the population;*

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<sup>5</sup> Belle Kingsley Etame, *The Protection of Minorities: Problems of Application of Article 27 of the International Covenant on Civil and Political Rights and the Identification of Minorities*, (Faculty of Law - Lund University: Unpublished Master Thesis, 2002), p.14.

- II- *such minorities should properly include a number of persons sufficient by themselves to preserve such traditions or characteristics; and*
- III- *such minorities must be loyal to the State of which they are nationals.*<sup>6</sup>

However, the proposal of the Sub-Commission, which focused on the number of group and its loyalty to the state as the basic characteristics of a minority group, was not adopted by the Human Rights Committee. The third proposal for the definition was created by Professor Francesco Capotorti who was the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities. Capotorti prepared the Rights of Persons Belonging to Ethnic, Religious and Linguistic Minorities in which he formulated the definition of a minority that was also rejected:

*A group numerically inferior to the rest of the population of a State, in non-dominant position, whose members – being nationals of State – possess ethnic, religious or linguistic characteristics differing from those of the rest of the population and show, if only implicitly, a sense of solidarity, directed towards preserving their culture, traditions, religion or language.*<sup>7</sup>

And the last definition attempt for the term minority was made by another rapporteur of the Sub-Commission, Jules Deschenes in 1985 which was a revised and more detailed version of the Capotorti's definition:

*A group of citizens of a State, constituting a numerical minority and in a non-dominant position in that State, endowed with ethnic, religious, or linguistic characteristics which differ from those of the majority of the population; having a sense of solidarity with one another, motivated, if only implicitly, by a collective will to survive, and whose aim is to achieve equality with the majority in fact and in law.*<sup>8</sup>

As the previous proposals, Deschenes' definition also faced suspicions among the UN circles, nation-states and minority groups, and not approved as a part of the

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<sup>6</sup> Patrick Thornberry, *Minorities and Human Rights Law*, (London: Minority Rights Group, 1991), p.7.

<sup>7</sup> Etame, *op. cit.*, p.17.

<sup>8</sup> Vladimir Ortakovski, *Minorities in the Balkans*, (New York: Transnational Publishers, 2000), p.10.

international law. As a result, despite all of these efforts for a description, until today, no universally agreed explanation has been found for the term ‘minority’. When the definition proposals are analyzed, the subjective criteria can be clearly observed, and ‘the characteristics differentiating from the majority’ means that the minority groups are exceptions of the main philosophy behind the formation of nation-states which are homogeneity and unity of the nation. Thus, nation-states perceive the existence of a minority group in its borders as a group against its national interests. Because of these concerns, states do not show the real desire to find a universal definition; instead, they drag the issue and try to delay the adoption of international documents or favor the adoption of a document on minorities with a very narrow scope which would exclude the troubling minority groups in their borders.<sup>9</sup> In contrast, minority groups have also differentiating interests and demands which could not be included in a single definition. Every minority group has a distinguishing situation in different states, and has unique characteristics and interests ranging from equal treatment to secession. Thus, it is almost impossible to incorporate all the minority groups with all of their distinctive characteristics in the definition of the term ‘minority’. Nevertheless, several widely-accepted criteria could also be observed in all of the definition efforts mentioned above, which would be analyzed in the next section in detail.

## **2.2 Basic Characteristics of a Minority Group**

Although there is no universal definition of the minority, there are some widely-accepted elements for labeling a group as a minority. When the above-noted definition proposals are considered, instead of minor differences, all of these proposals include some common features for the explanation of the minority groups. Applying these common points, the basic characteristics of minorities can be enumerated.

To start with the first criterion, the most basic characteristic of the minority group is the differentiation of several attributes from the majority group. These attributes

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<sup>9</sup> Etame, *op. cit.*, pp.14-15.

include the differentiation of ethnicity (ethnic or national minorities such as Turkish minority in Greece), religion (religious minorities such as Catholic Greeks in Greece), language (linguistic minorities such as Romanian speaking Vlachs in Greece), and culture (different traditions, history, etc.). These features are the basic characteristics of a minority group necessary for separation of the group from the majority, and all or some of these features could be different from the majority. However, the differentiation of only one of these attributes is adequate for the existence of a minority group.

Second criterion of the minority group is the number of minority members. Generally, it has been stated that the minority members have to make up less than 50% of the population of the state. Nevertheless, there are many groups in the world who have numerical superiority in a state or a region, but they are forming a minority group in terms of possession of power such as the Albanians in Kosovo before 1990s. Conversely, the minority rights cannot be granted to a handful of differentiating individuals. For instance, the state cannot establish educational institutions or take special measures for a very small group which would be the waste of sources.<sup>10</sup> Thus, the real criterion of number for the formation of a minority group is the sufficient number for the preservation of the distinctive characteristics of the group. Thus, the number may be smaller than the dominant group, but not less than the number required for the preservation of group characteristics.

Thirdly, instead of its numerical inferiority, the minority group should not be dominant or possessing more power in the state, because in that case the group is called 'elite' instead of minority. For instance, as Oran exemplifies, in South Africa the blacks who constitute 80% of the population are considered as minority group, and the whites who constitute 20% of the population are considered as the majority group because of its power base in administration of the state.<sup>11</sup> Hence,

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<sup>10</sup> Baskın Oran, *Türk-Yunan İlişkilerinde Batı Trakya Sorunu*, (Ankara: Bilgi Yayınevi, 1991), p.41.

<sup>11</sup> *Ibid.*, p.42.

the majority group has to be dominant in the state affairs, and the minority group rights should be granted by the majority.

Fourth criterion of minority group is the citizenship provision. Namely, the minority group has to reside in the borders of the state; has to be its citizens, and has to have long-term presence in the respective state. Thus, the refugees, migrant workers, immigrants and other aliens, who are not the citizens of the state, are not regarded as 'minority'. These groups are entitled to human rights instead of minority rights, and several instruments have been adopted for the protection of these groups under the banner of human rights.

The fifth characteristic is the loyalty to the host state. As noted in the suggestions of the UN Sub-Commission on Minority Rights, minority groups must be loyal to the state of which they are nationals. The minority group, same as the majority group, has some obligations towards the state. As Walter Kemp argues: "*They have not only rights to pursue their individual or collective interests against the detriment of others, but also have obligation towards the state for loyalty and not to isolate themselves within the state or undermining the state institutions.*"<sup>12</sup> Thus, the separatist groups and the terrorist groups are not considered as minority groups, and the approval of state authority and inseparable unity is put as a condition for minority groups by the international community.

The sixth and mostly debated criterion to become a minority group is the awareness of the group of its distinctive properties from the dominant group and the consciousness and desire to maintain and develop these distinctive characteristics.<sup>13</sup> Thus, the individual has to be aware of his membership to the minority group. If he has the consciousness of his distinguishing features and has aspiration to preserve these attributes, he becomes a member of the minority group. Besides, the members of the minority group as a whole should have the desire to preserve their traits collectively. This criterion is the most controversial

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<sup>12</sup> Kemp, *op. cit.*, p.3.

<sup>13</sup> Oran, *op. cit.*, p.42.

feature of minority groups which has been generally used by states as a pretext for the denial of the existence of minority groups.

Instead of these widely-accepted characteristics of minority groups, many states and minorities have put several reservations to these criteria. For instance, as Elena Andreevska stated, several UN members criticized the exclusion of groups of non-citizens from minority protection, and several argued that indigenous populations should be treated separately, and certain states pointed out that the minority group characteristics other than ethnic, religious and linguistic should be taken into account.<sup>14</sup> Moreover, several states advocated that international standards for human rights suffice for protection of every individual including minority groups, and some suggested that numerical criteria should be omitted because the numerical inferiority not always indicates political subjugation.<sup>15</sup> Therefore, the international community, states and minority groups have not even reached a consensus on the general characteristics of the minority groups which thwarts taking of further steps.

### **2.3 The Scope of Minority Rights: Negative vs. Positive Rights**

There are two different sets of minority rights: Negative rights and positive rights. The negative rights of the minority groups are aimed at the prevention of discrimination towards the minority by the majority group, and focuses on the equality of citizens living in the same state. The negative rights are the individual rights of the members of the minority group which cannot be exercised collectively. For instance, the equality of citizens in front of laws, freedom of religion and conscience, freedom of political choice so on so forth are the examples of the negative rights of minority groups.<sup>16</sup> The negative rights of minority groups can be defined as the human rights of the members of the group

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<sup>14</sup> Elena Andreevska, *The National Minorities in the Balkans under the UN and European System of Protection of Human and Minorities Rights*, (Oxford: University of Oxford, 1998), p.68.

<sup>15</sup> *Ibid.*, p.68.

<sup>16</sup> Baskın Oran, *Türkiye’de Azınlıklar: Kavramlar, Teori, Lozan, İç Mevzuat, İçtihat, Uygulama*, (İstanbul: İletişim Yayıncılık, 2000), p.32.

which have been the basic principle of minority protection after the WWII. The minority rights were universalized after the WWII, and the minority protection was limited to the granting of negative rights to the minority members which prevented from discrimination and provided equal rights. However, as noted before, the minority groups form the weakest strata in a state that are regarded as the second-class citizens. Because of this inequality between the majority and minority, applying equal rights to members of both groups would entail the continuation of the unequal positions of the groups. To acquire the real equality of the minority and majority groups, there has been a need to grant 'special' rights to the minority groups which would help them to protect and promote their own identity next to the dominant culture and integrate with the other groups of the state.

As a result of the continuation of suppressive policies of states on minority groups throughout the Cold War instead of negative rights of minorities, the international community went on to take further steps for minority protection. The Covenants were adopted which have provisions granting 'special rights' to the minority groups. These special rights only given to the minority groups (not to the majority group) are called the 'positive rights' of the minority. The positive rights of the minority groups can only be exercised collectively within the group of minority. The granting of positive rights to minorities aimed at preservation and development of the distinguishing features of minority groups, and attaining the real equality of the minorities through special rights. For instance, the right to establish minority schools, the right to found religious organizations and the right to use their own language in official documents so on so forth are the examples of positive rights of minority groups. Without the positive rights, a minority group cannot preserve its own culture and identity, and doomed to assimilation inside the dominant culture. Indeed, the lack of positive rights means the education of minority members in majority schools, usage of majority language and inability to live its own culture which would end up with perishing of the minority group. Thus, the granting of positive rights to minority groups is vital for the existence of

these groups. Nevertheless, the conceding of special rights to minorities is one of the most controversial issues for the nation-states. Fearing from the secessionist movements, states are unwilling to grant special rights to minority groups which may lead to separatist movements.

Today, the controversy between the majority and minority groups continues. The international community is discussing to find a universal definition of the term 'minority', in order to lessen the conflicts between majorities and minorities. Finding an objective definition would clarify the groups in the world which are qualifying to be labeled as a 'minority group', and facilitate the taking of further steps. The second task of the international community is to determine the scope of the minority rights that would be granted to the groups by the international law. The negative rights have already been given to the minorities by the international covenants; hence, the scope of the positive rights granted to minority groups would determine the scope of the minority rights in the international law. Nonetheless, reaching an all-inclusive and universal definition for the minority groups seems unfeasible at the moment. Firstly, almost all states include a minority group, and almost all of them apply the minority rights with different interpretations and diverse practices according to their interests. Secondly, there are thousands of minority groups in the world with thousands of unique characteristics and diverse goals and demands. In addition, a universal definition of minority groups does not indicate that the debate on minority groups would end; instead, the definition would be the first step in the lengthy and thorny road to final solution. Thus, finding a final solution to the controversy between majority and minority groups is out of the scope of international actors currently. Today, the intensifying efforts of the international community, states and minorities are mainly focused at the deterrence of the open-conflicts between majority and minority groups and minimization of the suppressive policies on minorities instead of a final solution. The minority problem appears to be prolonged in the international agenda as a field of rivalry and negotiation in the near future.

## CHAPTER 3

### THE CONTEXT AND CONCEPTUAL FRAMEWORK ON MINORITY RIGHTS: A HISTORICAL BACKGROUND

The idea of minority protection is not a brand-new phenomenon.<sup>17</sup> The question of minority rights has been on the agenda of the international community for several centuries with its significant implications on the history of mankind. As Jennifer Jackson Preece argues: “*It has constituted an ongoing friction between states, a pretext for separatism, irredentism and intervention, and a direct and indirect cause of local and general wars.*”<sup>18</sup>

The discourse of the minority protection may well be traced back to the 17<sup>th</sup> century in which the Westphalia Agreement signed that includes clauses on the protection of religious minorities. Since the Westphalia Agreement until recent years, almost all major peace treaties contained provisions for the protection of minorities, defined in terms of religious affiliation and later linguistic and ethnic identity.<sup>19</sup> The period specified above during which the notion of minority rights

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<sup>17</sup> Stephen Ryan, *Ethnic Conflict and International Relations* (Vermont: Dartmouth, 1990), pp.152-153.

<sup>18</sup> Jennifer Jackson Preece, “Minority Rights in Europe: from Westphalia to Helsinki”, *Review of International Studies*, Vol.23, 1997, pp.75-92.

<sup>19</sup> Stephen D. Krasner, Daniel T. Froats, “The Westphalian Model and Minority Rights Guarantees in Europe”, *InIIS-Arbeitspapier*, No: 2/96, 1996, pp.1-32 (Paper prepared for the IGCC Project on ethnic conflict).

evolved, could be divided into major stages related with the significant wars and the agreements signed afterwards that added a different aspect to the international political system.

For instance, until the 19<sup>th</sup> century the religious characteristics of the groups determined their minority status. After the French Revolution and its impact on the European political philosophy, the nineteenth century brought a major improvement in the international protection of minorities.<sup>20</sup> With the advance of nationalism in the beginning of the 19<sup>th</sup> century, the notion of “national minorities” began to appear in the treaties including minority rights clauses.<sup>21</sup> The twentieth century witnessed a cyclical resurgence of the issue of minority rights.<sup>22</sup> At the beginning of the 20<sup>th</sup> century, “the Great War” (World War I) radically changed the track of the international political system as well as the system of minority protection. For the first time in history, international laws and an international organization established to supervise state practices on minority groups after the WWI. However, the system of international minority rights protection lasted for 20 years, and the end of the WWII welcomed the creation of a general human rights system in which specific rights of the minority groups were ignored.<sup>23</sup> Lastly, the end of the Cold War and the emergence of the ethnic violence in the beginning of the 1990s led to the re-emergence of the question of minority rights, and the minority protection issue is still one of the most important subjects that are debated in the international arena. In the light of the arguments above, the historical background of the minority rights would be examined in five main sections<sup>24</sup>:

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<sup>20</sup> Ortakovski, *op. cit.*, p.13.

<sup>21</sup> N. Lerner, *The Evolution of Minority Rights in International Law, in Peoples and Minorities in International Law*, Catherine Brolmann, Rene Lefebvre and Marjoleine Zieck eds. (Dordrecht: Martinus Nijhoff Publishers, 1993), p.82.

<sup>22</sup> Jelena Pejic, “Minority Rights in International Law”, *Human Rights Quarterly*, Vol.19.3, 1997, pp.666-685.

<sup>23</sup> Etame, *op.cit.*, p.31.

<sup>24</sup> Numerous different classifications of historical evolution of minority rights are available, and for instance, Patrick Thornberry identifies three broad phases of international protection of the rights of minorities: 1- In the seventeenth and eighteenth centuries minority rights protected by treaties between states, 2- Minority rights under the League of Nations system determined by concert of

### 3.1 The Westphalian System of Minority Protection

Throughout the Middle Ages, the basic common characteristic of the people living under the authority of a king was “religion”. States generally pointed out their religious homogeneity and believers of the other religions were discredited as “heretics”, and the “heretics” were punished frequently, treated cruelly and sometimes either forced to migrate or slaughtered.<sup>25</sup> At the end of the Middle Ages, in the 16<sup>th</sup> and 17<sup>th</sup> centuries, the first major treaties that had granted protection to “religious” minorities emerged, and the notion of “minority” that would create unprecedented problems since then took its place in the international agenda.

The Peace of Augsburg signed between Roman Imperial Majesty and the Electors, Princes and Estates’ of the Germanic Nation in 1555, is one of the oldest treaties embodying the protection of the religious minority groups, and the treaty elaborated on the right of the different parties to exercise religious freedom.<sup>26</sup> In addition, Treaty of Vienna, concluded in 1606, contained provisions on the treatment of Protestant minorities in Hungary.<sup>27</sup>

On the other hand, the Peace of Westphalia, signed in 1648, is regarded as the turning point for the beginning of the modern international system as a universe composed of sovereign states, each with exclusive authority within its own geographic boundaries.<sup>28</sup> Thus, during the determination of the boundaries of the states, the communities which did not fit into the modern framework created by the Westphalia Agreement began to emerge as the “minority groups”. The

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powers, 3- Minority rights under the UN system as it stands today. For more details on Thornberry’s classification see: Patrick Thornberry, *International Law and the Rights of Minorities*, (Oxford University Press, 1991).

<sup>25</sup> Ortakovski, *op. cit.*, p.11.

<sup>26</sup> Geldenhuys and Roussouw, *op. cit.*, p.8 (A special report compiled for the FW de Klerk Foundation).

<sup>27</sup> Ryan, *op. cit.*, pp.152-153.

<sup>28</sup> Stephen D. Krasner, “Compromising Westphalia”, *International Security Journal*, Vol.20, No.3, Winter 1995-1996, p.115.

Westphalia Agreement ended the Thirty Years War which was the religious clash of the major European powers, and included extensive provisions for the protection of religious minorities. According to the Westphalia Agreement, as Preece argues: “Protestants received back the churches and ecclesiastical estates that they had possessed in the year 1624, and were guaranteed the free exercise of their religion both in private and in public.”<sup>29</sup>

After the Westphalia Agreement, generally the treaties signed, in which a territory exchanged between the states, included guarantees of religious freedom for the communities transferred to the new sovereign whose belief was different from their own.<sup>30</sup> As Geoff Gilbert addresses:

*Catholics in Prussia were specifically protected in the Treaty of Wehlau (1657). In the Treaty of Olivia (1660) where Livonia and Pomerania were ceded to Sweden by the Great Elector and Poland, Sweden promised to observe the liberties and privileges of the Catholics in those territories. In the Treaties of Nijmegen (1678) and Ryswick (1697), France sought similar guarantees for the Catholic population of territories ceded to the Netherlands”<sup>31</sup>*

Another example, Alsace, where Protestant Alsatians were a majority, was captured by Louis XIV of France after the Thirty Years War.<sup>32</sup> The king of France, Louis XIV was famous for his intolerance towards the Protestantism and took the royal oath to eradicate heresy (Protestantism) in France, however, granted religious freedom in Alsace.<sup>33</sup>

Alternatively, during the same period, the Ottoman Empire in the East applied a different system of religious toleration to its non-Muslim subjects which was called “millet system”. The peoples living under the authority of the Ottoman

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<sup>29</sup> Preece, *op. cit.*, p.77.

<sup>30</sup> Geoff Gilbert, “Religio-nationalist Minorities and the Development of Minority Rights Law”, *Review of International Studies*, Vol.25, 1999, pp.397-398.

<sup>31</sup> *Ibid.*, pp.398.

<sup>32</sup> Samuel Clark, “International Competition and the Treatment of Minorities: Seventeenth-Century Cases and General Propositions”, *The American Journal of Sociology*, Vol.103, No.5, 1998, p.1274.

<sup>33</sup> *Ibid.*, p.1275

Sultans were divided into “millets” according to their religious affiliation. During the 16<sup>th</sup> and 17<sup>th</sup> centuries, there were Armenian, Catholic, Jewish, and the largest, Orthodox millets.<sup>34</sup> The millets were autonomous in their religious affairs, education, justice and tax systems governed by the “head of the millet” on behalf of the Ottoman Empire. Hence, the non-Muslim minorities in the Ottoman Empire possessed their own religious institutions, and freedom of religious belief, their own educational institutions, own courts and taxing system that comprised one of the most extensive minority rights system of the time. Under the system of millets, Greeks were the members of the Orthodox millet living as one of the religious minorities of the Ottoman Empire.

Briefly, during the Westphalian System of Minority Protection, the defining characteristic of the minority rights was “religion” instead of language, culture or ethnic relations because religion was the most important characteristic separating different peoples.<sup>35</sup> In addition, minority rights of the era were the grants of the sovereign of a territory to the community that he/she occupied, thus there were no punishment for ignoring the rights of the minority communities, neither the rights of minorities were international rules that bound the concerned ruler. The minority rights were the invention of the major European powers of the era, determined by the bilateral treaties between the kings after a war fought, and concerned and practiced in only the newly captured territories in Western Europe not in the other regions.

### **3.2 The Vienna Congress’ System of Minority Protection**

By the end of the 18<sup>th</sup> century, the outset of the “Enlightenment” period and the French Revolution in 1789 brought the rise of new philosophies in Europe. The French Revolution introduced a new concept named “nationalism” which transformed the notion of minority rights and began to unify the communities

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<sup>34</sup> Barbara Jelavich, *History of the Balkans*, (Cambridge: Cambridge University Press, 1983), p.49.

<sup>35</sup> Preece, *op. cit.*, pp.76-77.

under the title of “nation”.<sup>36</sup> The nation-states became the basic actors of the international political system. The Vienna Agreement concluded in 1815 that ended the Napoleonic Wars signified the commencement of a new era on the protection of minority rights.

By the settlement in Vienna, the major powers of Europe in the beginning of the 19<sup>th</sup> century, for the first time, approved the explicit protection for an “ethno-national” minority rather than religious communities.<sup>37</sup> As Krasner and Froats points out: “*Article I of the Congress of Vienna Final Act called on Austria, Prussia and Russia to provide Poles ‘a Representation and National Institutions...’ that each of the Governments to which they belong shall judge expedient and proper to grant them*”.<sup>38</sup> Thus, by the Article I of the Vienna Agreement, Poles had the right to preserve their own national institutions; however, the discretion to grant the minority rights was left to the state concerned.<sup>39</sup> Namely, in the period after the Vienna Congress, the treaties contained explicit provisions on the rights of the “national” minorities concerned; though, no clauses placed to enforce the provisions for minority protection.

Another aspect of the 19<sup>th</sup> century system of minority rights was that the system had become the tool of the “Balance of Power” politics among the major powers of Europe. During the 19<sup>th</sup> century, major powers usually appealed to minority rights as a pretext to attack another state or added minority clauses to the treaties concluded after the major wars.<sup>40</sup> Typical example for the major powers’ aggrandizement using the minority rights as a pretext was the destruction of Ottoman fleet in Navarino in 1827. The allied fleet composed of British, French

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<sup>36</sup> Ortakovski, *op. cit.*, p.13. The most important examples of nation-building in the 19<sup>th</sup> century were the formation of German and Italian nations which were composed of several feudal principalities before the nation-building process.

<sup>37</sup> Krasner and Froats, *op. cit.*, p.11

<sup>38</sup> *Ibid.*

<sup>39</sup> For more detailed information on the Vienna Agreement and its text, see: C. Parry, “Parry’s International Treaty Series”, Vol.42, p.457.

<sup>40</sup> Gilbert, *op. cit.*, p.401.

and Russian forces eliminated the Ottoman fleet in Navarino to assist the Greek revolt for independence which was against the authority of Ottoman Empire. On the other hand, both Paris Agreement (1856) and Berlin Congress (1878) contained provisions of minority rights imposed on the weaker states which were inserted by the major actors of “balance of power” system. In this period, the major European powers had never undertaken the obligation to practice minority rights within their borders; instead, weaker states were obliged to implement the system of minority protection. Generally, the main objective of the major European powers in designing minority protection systems for weaker states was to avoid the conflicts between weaker states because of the minority problems which could threaten the international order and stability defined according to the interests of Great Powers.<sup>41</sup>

The other significant difference of the minority protection system in the period after the Vienna Congress was the extension of the minority rights to the Eastern Europe and the Balkans. Especially, the multi-national and multi-ethnic Empires such as the Ottoman Empire and the Habsburg Empire faced serious revolts and separatist national movements after the spread of nationalism in Eastern Europe.<sup>42</sup> The national minorities, Serbians, Greeks, Montenegrins, Romanians and Bulgarians, living in the border lands of the Ottoman Empire rebelled to establish their national states in the 19<sup>th</sup> century.<sup>43</sup> The Great Powers generally supported the independence of the national minorities; nevertheless, the rights of the minorities left in the newly independent states’ territory were the condition demanded by the Great Powers for assistance and the recognition of the new states.

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<sup>41</sup> Preece, *op. cit.*, p.80.

<sup>42</sup> Ortakovski, *op. cit.*, p.14.

<sup>43</sup> Jennifer Jackson Preece, “*Human Rights and Cultural Pluralism: The “Problem” of Minorities*”, Draft Prepared for the Cambridge/Dartmouth Conference on the New Human Rights Agenda, Sydney Sussex College-Cambridge, 2001, p.5.

The first state to become independent from the Ottoman Empire was Greece.<sup>44</sup> The Greek revolt for independence began in 1821 and concluded in 1830 by the signing of London Protocol.<sup>45</sup> The assistance of the Great Powers (Great Britain, France and Russia) by destruction of the Ottoman and Egyptian fleets in Navarino determined the fate of the first national minority to win independence in the Ottoman Empire. Nonetheless, during the signing of London Protocol<sup>46</sup> the Great Powers imposed on the New Greek State to accept the rights of the minorities (especially Muslim minority) left in the borders of Greece as a condition to recognize its independence.<sup>47</sup> As Krasner and Froats quotes:

*In 1830 they signed a protocol which stated that to preserve Greece from 'the calamities which the rivalries of the religions therein professed might excite, agree that all the subjects of the new State, whatever their religion may be, shall be admissible to all public employments, functions and honors, and be treated on a footing of perfect equality, without regard to difference of creed, in their relations, religious, civil or political.'*<sup>48</sup>

On the other hand, in the Treaty of Berlin concluded in 1878, all the national minorities except Macedonians gained their independence. However, the Great Powers, like the previous treaties, imposed minority rights guarantees on the newly established weak states and the Ottoman Empire. As Preece states:

*The Articles XXVII and XXXIV of the Treaty of Berlin, the states of Montenegro and Serbia, as a condition of their independence, were bound to recognize the religious freedom of Muslims, and gave assurances that religious affiliation would not be used as grounds for discrimination within their new jurisdictions... Not only was religious freedom and non-discrimination in the enjoyment of civil and political rights, public office,*

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<sup>44</sup> Krasner and Froats, *op. cit.*, p.13. Although, the first nation to rebel against the Ottoman Empire was Serbs, the Great Powers had not intervened (except Russia) to support Serbian revolt in the beginning. Thus, the Greeks won the independence first because of the allied Great Power support.

<sup>45</sup> Richard Clogg, *A Concise History of Greece*, (Cambridge: Cambridge University Press, 1992), pp.49-63.

<sup>46</sup> For the details of the London Protocol (1830), visit: [www.mfa.gr/greek/the\\_ministry/eny/1830\\_london\\_protocol.doc](http://www.mfa.gr/greek/the_ministry/eny/1830_london_protocol.doc) accessed on 11.12.2004. In addition, the French text of the Protocol is available in the Web Site.

<sup>47</sup> Krasner and Froats, *op. cit.*, p.13.

<sup>48</sup> *Ibid.*

*membership in the professions and in industry guaranteed to religious minorities.*<sup>49</sup>

In addition, Berlin Agreement delegated the power to protect the minority groups left in the Ottoman Empire to the Great Powers and forced the Empire to grant more extensive rights to the minorities. Nevertheless, the new national states regarded the minority rights provisions as a threat to their national sovereignty and they generally did not fulfill these requirements when the Great Powers were busy with the other problems. In addition, after the Berlin Congress, in 1881, by the Istanbul Agreement, the Ottoman Empire was forced to cede Thessaly by the Great Powers to Greece; however, once again, the Greek government agreed to guarantee the rights of the Muslim minority left in Greece.<sup>50</sup>

When the policies of the new national states examined in this period, their policies were quite harsh and targeted the removal of the minority groups by means of expulsion or compulsory assimilation. The first and the second Balkan Wars (1912-1913) presented a supreme opportunity to the new national states to get rid of their unwanted minority groups. These new states such as Serbia, Bulgaria and Greece denounced their obligations towards their minorities guaranteed by the agreements signed in the 19<sup>th</sup> century, and began to remove-out the minority populations by force from the territories they had occupied during the Balkan Wars. This policy led to the migration of millions of Muslim population from the Balkans to Anatolia which could be regarded as the continuation of the assimilation and expulsion strategies of the new national states applied in the 19<sup>th</sup> century. By this strategy, new nation-states aimed at minimization of the numbers of the minority members inside their borders, and removal of the rationale behind the minority provisions they signed in 19<sup>th</sup> century.

In brief, at the beginning of the 19<sup>th</sup> century, the cultural and ethnic characteristics of the individuals gained primacy over the religious characteristics with the rise of the nationalist philosophy. Thus, different ethnic groups living under the huge

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<sup>49</sup> Preece, "*Human Rights and Cultural Pluralism: The "Problem" of Minorities*" *op. cit.*, p.81.

<sup>50</sup> Gilbert, *op. cit.*, p.401.

multi-ethnic and multi-cultural empires began to question the imperial authority ruling them, and later, involved in rebellions which sought independence of the ethnic groups, and founding their own national states in smaller, but more homogeneous territories. As a result, throughout the 19<sup>th</sup> century, the minority groups gained power against the kings and sultans to establish their own national states and most of the ethnic minorities living under the authority of the Ottoman Empire in the Balkans ended up with an independent state before the end of the century. Nevertheless, the 19<sup>th</sup> century was the era of the great powers of Europe which were following the “balance of power” policy, and avoiding any conflicts that may disturb the balance. So, the major powers of Europe supported the independence of the minority groups most of the time, yet, imposed minority provisions to the newly established states to prevent any further conflicts that might be caused by the minority groups. The multiethnic empires were, also, the victims of the minority rights impositions. However, the newly established states and the multi-ethnic empires regarded these minority impositions as a stab to their sovereignty, and abstained to apply the minority rights by playing off one major power to another. Besides, new national states followed the policy of assimilation and expulsion towards their minority groups to minimize their numbers and power and to escape from the application of provisions of the agreements signed in 19<sup>th</sup> century. To conclude, the minority rights system of the 19<sup>th</sup> century were imposed and guaranteed by the major powers of Europe, and the system became multilateral and enlarged to include the parts of the Eastern Europe and Balkans instead of being the bilateral agreements between the kings of Western Europe.

### **3.3 The League of Nations System of Minority Protection**

The World War I was the most bitter and extended struggle, unprecedented in its damage and had unforeseen consequences for the international politics and the protection of minority groups.<sup>51</sup> During the years of World War I (WWI), both sides provoked the minority groups living under the authority of the other side to

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<sup>51</sup> Carole Fink, “The Paris Peace Conference and the Question of Minority Rights”, *Peace & Change*, Vol.21, No.3, 1996, p.275

revolt. At the end of the Great War, three multinational empires collapsed: the Ottoman Empire, the Habsburg Empire and the Russian Empire. Thus, creation of the new national states according to the ethnic differences was apparent at the end of the WWI. Yet, creating ethnically homogenous states was impossible in Europe, and the foundation of new states would create sizeable minority groups in the newly established national states because numerous different ethnic groups scattered in Eastern Europe and the Balkans.

In addition to the creation of the new minorities, the concern on the vulnerability of minorities within these states was one of the main concerns of the President Wilson of the United States as stated in his “Fourteen Points” in which he propagated the ideals of nationality and self-determination<sup>52</sup> In his Fourteen Points, Wilson advocated that the ethnic minority groups large enough to establish their own states had the right to self-government, namely, called self-determination, and on the other hand, the minority groups that are unable to form their own government had to be protected by the post WWI treaties and the minority rights had to be guaranteed by an international regime administered by the League of Nations, the international political organization designed to be created.<sup>53</sup>

Because of the concerns on the situation of after-settlement minority groups and the proposals of Wilson, the Allied powers decided to devise an “international” minority protection system that had included first collective minority-rights treaties of the history that would be guaranteed and enforced by an international

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<sup>52</sup> Joshua Castellino, “Order and Justice: National Minorities and the Right to Secession”, *International Journal on Minority and Group Rights*, Vol.6, pp.390-391. The US president Woodrow Wilson stated his post-WWI strategy in the document consisting of Fourteen Points. Basically, president Wilson favoured the right to self-determination of ethnic minorities to form their own national governments. For the short explanation of Woodrow Wilson’s Fourteen Points visit: [http://www.historylearningsite.co.uk/woodrow\\_wilson1.htm](http://www.historylearningsite.co.uk/woodrow_wilson1.htm) , for a more detailed version of Wilson’s ideals visit: [http://hsc.csu.edu.au/modern\\_history/core\\_study/ww1/overview1918-21/page148.htm](http://hsc.csu.edu.au/modern_history/core_study/ww1/overview1918-21/page148.htm) .

<sup>53</sup> *Ibid.*, p.391.

organization called the “League of Nations”.<sup>54</sup> In addition, the Allied powers calculated that any type of combustible inter-racial conflicts, which may arise due to the dissatisfaction and mistreatment of minority groups left in the newly established states, may end up with the ethnic conflicts disturbing the peace.<sup>55</sup> Thus, in devising the international system of minority protection after the WWI, the Allied powers aimed to lessen the grievances of the ethnic minorities and prevent the future conflicts that would threaten the balance of power which favored the interests of Allied powers.

Accordingly, the Allied powers decided to impose minority protection clauses on the defeated states and newly established nation-states in peace treaties that were signed at the end of the WWI. At Paris Peace Conference, the Allied Powers signed the Treaty of Versailles with Germany on 28 June 1919.<sup>56</sup> Ironically, the Allied powers did not force Germany to sign a minority section in the Versailles Peace Treaty, the only defeated state not to sign minority rights provisions, which they blamed for the destruction took place during the WWI. On the contrary, in the Versailles Treaty, the Allied Powers imposed on Poland, newly established state not a defeated one, to approve minority rights clauses consisting of 12 articles and about 2 pages of the text.<sup>57</sup> In contrast, with very little differences, Czechoslovakia, Romania, Yugoslavia, Greece, Austria, Hungary, Bulgaria and the Baltic States of Latvia, Lithuania, and Estonia were forced to sign the minority protection treaties.<sup>58</sup>

The Treaties of St.Germain, Trianon and Neuilly, signed by Austria, Hungary and Bulgaria respectively, contained minority rights provisions exactly the same in all

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<sup>54</sup> Carole Fink, *Defending the Rights of Others: the Great Powers, the Jews and International Minority Protection, 1878-1938*, (Cambridge: Cambridge University Pres, 2004), p.133-260.

<sup>55</sup> Patrick B. Finney, “An Evil for All Concerned: Great Britain and Minority Protection after 1919”, *Journal of Contemporary History*, Vol.30, No.3, 1995, p.534.

<sup>56</sup> For the details of the Versailles Treaty and its full text visit:  
<http://www.lib.byu.edu/~rdh/wwi/versailles.html> and  
[http://www.historylearningsite.co.uk/treaty\\_of\\_versailles.htm](http://www.historylearningsite.co.uk/treaty_of_versailles.htm) .

<sup>57</sup> Fink, “The Paris Peace Conference and the Question of Minority Rights”, *op. cit.*, pp.280-282.

<sup>58</sup> *Ibid.*, p.280.

three agreements. In the articles concerning the minorities, the above-noted states were compelled to apply the principles of equal treatment and non-discrimination to all of their citizens, as well as the “special rights of the minority groups”. For instance, the Articles 54 – 60 of the Treaty of Trianon states that:

*Hungary undertakes that the stipulations contained in this Section shall be recognized as fundamental laws, and that no law, regulation or official action shall conflict or interfere with these stipulations, nor shall any law, regulation or official action prevail over them. Hungary undertakes to assure full and complete protection of life and liberty to all inhabitants of Hungary without distinction of birth, nationality, language, race or religion.*

*In particular they shall have an equal right to establish, manage and control at their own expense charitable, religious and social institutions, schools and other educational establishments, with the right to use their own language and to exercise their religion freely therein.*

*Hungary agrees that the stipulations in the foregoing Articles of this Section, so far as they affect persons belonging to racial, religious or linguistic minorities, 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 a majority of the Council of the League of Nations.<sup>59</sup>*

The minority treaties signed after the WWI includes, as Vladimir Ortakovski argues, both the equal rights of the minority groups as the majority group such as equality before law, equal treatment of citizens, equal access to public services, free use of mother tongue, freedom to open, manage and control their own cultural and religious institutions; and the special rights of the minority groups such as guarantee to provide adequate conditions for the use of mother tongue in oral and written communication and to provide instruction in the elementary schools in the language of the minorities.<sup>60</sup>

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<sup>59</sup> Treaty of Peace Between The Allied and Associated Powers and Hungary and Protocol and Declaration, signed at Trianon June 4, 1920: <http://www.lib.byu.edu/~rdh/wwi/versa/tri1.htm> , accessed on 25.12.2004. For the full text of Treaty of St. Germain signed on September 10, 1919 visit: <http://www.austlii.edu.au/au/other/dfat/treaties/1920/3.html> . For the full text of Treaty of Neuilly signed on November 27, 1919 visit: <http://www.lib.byu.edu/~rdh/wwi/1918p/neuilly.html> .

<sup>60</sup> Ortakovski, *op. cit.*, p.69.

Thus, at the end of the WWI, after the peace treaties signed, the borders in Europe fundamentally altered adding thirty three new European States to the political map of Europe.<sup>61</sup> Several new states were created by the ethnic minorities of the previous centuries such as Poles, South Slavs, Czechs, and the number of European minorities decreased from one hundred millions to twenty five million individuals.<sup>62</sup> In contrast in several regions, the previous master groups suddenly became the minority groups of the alien governments and millions of new minority groups created such as three million Austrian Germans in Czechoslovakia, two million Prussian Germans in Poland, and a half million Transylvanian Hungarians in Romania who were disillusioned and uneasy with the status quo shaped by the WWI peace treaties.<sup>63</sup> The Allied powers invented the minority treaties to appease the disillusioned minority groups and prevent the future conflicts that might be originated from the minority groups, and guaranteed the minority rights under the supervision of League of Nations and the League Council.

The aim of the League of Nation's guarantee was to protect the rights of the minority groups; nonetheless, in case of an infringement of the rights by any government, the procedure in the League favored the states concerned. First of all, a minority petition had to be transmitted to the General Secretariat of the League regarding the infractions of the concerned state about the minority rights. After receiving the petition, it was examined by the Minorities Section of the Secretariat, and the petition had to fulfill several conditions to be admitted:

- a) *petition must have in view the protection of minorities in accordance with the treaties*
- b) *in particular, must not be submitted in the form of a request for the severance of the political relations between the minority in question and the state of which it forms a part*
- c) *must not emanate from an anonymous or unauthenticated source*

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<sup>61</sup> *Ibid.*, p.61.

<sup>62</sup> Carole Fink, "Stresemann's Minority Policies, 1924-29", *Journal of Contemporary History*, Vol.14, No.3, 1979, pp.403-404.

<sup>63</sup> *Ibid.*, p.404.

d) *must abstain from violent language.*<sup>64</sup>

If the petition could pass this stage, it was directly submitted to the state concerned, and the state concerned commented on the petition in two months.<sup>65</sup> After the transmission of government's comment, the petition with the comment of the concerned state was communicated to all members of the League and the president and two other members of the Council appointed by the president.<sup>66</sup> The committee of the president and the two members of the Council had to examine the petition together with the government's reply. Helmer Rosting argues the other difficult phases of the procedure as such:

*If the committee finds that there subsists an infraction or danger of infraction of a clause of the minority treaty, the committee can bring the matter before the Council. When a petition has been brought to the notice of the Council, the latter 'may thereupon take such action and give such direction as it may deem proper and effective in the circumstances'. In case of any difference of opinion as to points of law or of fact between the state concerned and any state member of the Council, this difference is held to be a dispute of an international character under Article 14 of the Covenant of the League of Nations, and can be referred to the Permanent Court of International Justice.*<sup>67</sup>

Furthermore, the decisions in the Council were taken unanimously, and during the negotiations of a petition, the state concerned included a representative in the Council which meant that even the alleged violator state had to accept the accusations of the minorities written in the petition.<sup>68</sup> Shortly, as Carol Fink points out:

*Minority petitions were to adhere to strict terms of acceptability; publicity was restricted; and complaints were to be handled mainly by 'friendly' negotiations between Geneva bureaucracy and officials of the accused*

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<sup>64</sup> Helmer Rosting, "Protection of Minorities by the League of Nations", *The American Journal of International Law*, Vol.17, No.4, 1923, pp-653-654. The famous Tittoni Report put down the methods of petition (October 22, 1920).

<sup>65</sup> Julius Stone, "Procedure Under the Minorities Treaties", *The American Journal of International Law*, Vol.26, No.3, 1932, p.505.

<sup>66</sup> Rosting, *op cit.*, p.655.

<sup>67</sup> *Ibid.*

<sup>68</sup> Gilbert, *op. cit.*, p.404.

*government. Thus, in subsequent years, few petitions reached the Council whose members largely supported minority assimilation and were reluctant to embrace minority cases and confront a fellow government.*<sup>69</sup>

Namely, the system of minority protection under the guarantee of the League of Nations, which was supposed to be a legal and objective framework, was corrupted by the political maneuvers. The ambiguity of the minority clauses of the post WWI minority treaties, their vague and uncertain language, inadequate, general and open-to-interpretation laws and procedures of the League of Nations, and lack of protection against economic discrimination accelerated the politicization of the minority question in the inter-war years, and proliferated the resentment of the minority groups towards the League of Nations system of minority protection.<sup>70</sup>

On the other hand, the minority groups were not guiltless either. Especially, in the new states where their numbers were considerable, the minorities became the fifth columns of their kin-states undermining the foundation of the minority-treaty bound states.<sup>71</sup> The propaganda of the kin-states carried out to intensify the national feelings and to organize the idea of incorporation with the mother-state deeply affected the minority groups in the period of nationalism and national bonds in its peak. The defeated states of the WWI, which lost sizeable territory and their ethnic populations such as Hungary and Bulgaria, turned out to be revisionist states. For instance, Stresemann, the leader of Germany, was the first European leader to use pro-minority statements and increased financial support to German minority groups in the neighboring states with loans, credits and subsidies to “Deutschtum” organizations in Eastern Europe.<sup>72</sup> Besides, revisionist Bulgaria claimed that the Slavs of Yugoslav Macedonia were Bulgarian and used these Bulgarian minority groups in Macedonia and Western Thrace to consolidate its

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<sup>69</sup> Fink, “The Paris Peace Conference and the Question of Minority Rights”, *op. cit.*, pp.283-284.

<sup>70</sup> Josef L. Kunz, “The Future of the International Law for the Protection of National Minorities”, *The American Journal of International Law*, Vol.39, No.1, 1945, pp.90-91.

<sup>71</sup> *Ibid.*, pp.91-92.

<sup>72</sup> Fink, “Stresemann’s Minority Policies, 1924-29”, *op. cit.*, p.406.

territorial claims on Greece and Yugoslavia and used them to interfere with the domestic affairs of the concerned states.<sup>73</sup> Owing to the rigorous exploitation of the minority groups by their kin-states and assimilation policies of the newly established states, especially during the 1930s and with the rise of ultra-nationalist regimes in Europe, several minority groups organized in such a way that they followed separatist policies and weakened the newly established states politically. Moreover, the minorities, used by the revisionist states as a pretext for occupation, helped the occupation forces of their kin-states by forming irregular forces during the World War II.

On the side of the newly established, treaty-bound states, from the outset, the minority rights were regarded as the violation of their sovereignty as well as undermining of their internal stability. Furthermore, the system of minority protection was an asymmetrical system which was discriminating against the treaty-bound states. Joseph L. Kunz exemplifies the discrimination of states by the statements of the Poland's Prime Minister Paderewski at the Paris Peace Conference: "*The minority rights treaties damages the treaty-bound states' prestige, restricts their sovereignty, violates the principle of the equality of states, and humiliates the states causing perpetual resentment.*"<sup>74</sup> For instance, the Irish minority in Britain, the Asians in the US or the North Africans in France had no minority rights because the victorious powers accepted no standards for the treatment of minorities.<sup>75</sup> For the extension of minority rights to all states, treaty-bound states referred to the League of Nations several times, however rejected by the Great powers. Therefore, added the separatist intentions of the minority groups, the treaty-bound states applied all the means to eliminate the minority groups and not to practice the provisions of the minority treaties. Hence, treaty-bound governments encouraged the minority groups to assimilate by limiting their

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<sup>73</sup> Finney, *op. cit.*, p.546.

<sup>74</sup> Kunz, *op. cit.*, p.92.

<sup>75</sup> Krasner and Froats, *op. cit.*, p.19.

cultural rights or directly got rid of them by exchange of minorities or expulsion.<sup>76</sup> The agreement signed between Greece and Turkey about the exchange of minority populations in Lausanne Agreement (1923) was an example for the desire of the states to get rid of their minority populations. By the exchange agreement practiced in 1930, about 1.200.000 Greeks and 400.000 Turkish minority members uprooted and exchanged between Greece and Turkey.<sup>77</sup>

In contrast, the Great Powers were enthusiastic about establishing the system of minority protection after the WWI in accordance with their interests. The new international system founded after the peace treaties signed, favored the interests of Great Powers, and the Great Powers aimed at the continuation of the system avoiding the possibility of a new war. Consequently, they formed the system of minority protection to prevent the resentful minorities to rise against their new governments that would threaten the whole system. Nevertheless, after the mid-1920s, the minority policies of the Great Powers radically changed because of the vigorous efforts of the minority groups and their kin-states for autonomy and wider minority rights threatened the stability of the system. After the minority protection became the tool of the revisionist states, the Great Power support, especially the British support, for minority protection lost.<sup>78</sup> As Finney argues: “*In 1925, Sir Austen Chamberlain of Britain, when he argued that the minority treaties served ‘only to keep alive differences which might otherwise be healed in time’.* In these circumstances he doubted whether they were ‘really anything but an evil for all concerned.’”<sup>79</sup> In addition, France, also, ceased to support the system of minority protection because threatened by the rapid development of the German and Soviet threats, France sought alliances with the Eastern European states especially with Poland. Thus, French government tolerated the assimilationist policies of the treaty-bound states after mid-1920s. Moreover, the other Great

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<sup>76</sup> Finney, *op. cit.*, p.541.

<sup>77</sup> Harry J. Psomaides, *The Eastern Question: The Last Phase*, (New York: Pella Publishing, 2000), p.63.

<sup>78</sup> Finney, *op. cit.*, pp.533-536.

<sup>79</sup> *Ibid.*, p.537.

Power, the US followed an isolationist policy after the WWI and lost its interest in the domestic political rivalries of the Europe. In brief, with the advisory and limited powers of the League of Nations and with the appeasing and unwilling Great Powers, no authority left to gauge implementation of the minority treaties and credibly threaten sanctions.<sup>80</sup>

As a result, without a credible guarantee of the League of Nations, the minorities began to search for new champions such as the German minorities in the Eastern Europe ended to apply to Geneva, and after the Hitler's rise to power found their new address.<sup>81</sup> With the radicalization of the politics in 1930s, minority states, encouraged by the indifference of the Great Powers, hardened their policies towards the minority groups. In 1933, Hitler's Germany ended its membership to the League of Nations and in 1934 Poland unilaterally renounced its obligations of resented minority treaty, and the Great Powers and the League of Nations did nothing.<sup>82</sup> The unilateral denouncement of Poland's minority obligations signified the end of the League of Nations system and its minority protection treaties which was completely destroyed by the World War II (WWII).

### **3.4 The Cold War Period – The United Nations System of Minority Protection**

The inter-war years were the first period in which the minority rights were put under the protection of an international organization and became one of the subjects of international law. Despite the developments in minority rights, the system of minority protection of the League of Nations had numerous defunct points that had resulted in the collapse of the system. As enumerated by Joseph L. Kunz, some of the congenital weaknesses of the League of Nations system were:

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<sup>80</sup> Krasner and Froats, *op. cit.*, p.20.

<sup>81</sup> Fink, "The Paris Peace Conference and the Question of Minority Rights", *op. cit.*, p.284.

<sup>82</sup> *Ibid.*

- 1) *The new minority law was not only restricted to Europe, but not even general in Europe. It was a strictly particular international law, binding only on certain states, not on all where there were minorities.*
- 2) *There was the procedural insufficiency of the League of Nations. Namely, the League was unauthorized and unable to take effective measures for the implementation of the treaties on minority protection.*
- 3) *Even at an early date, opinions unfavorable to this new law (both from the treaty-bound states and the minority groups) were voiced; however, no major powers were prepared to or willing to take effective measures including the use of force (major powers were the only capable powers to implement the minority treaties)*
- 4) *At the end, came the oppressive and inhumane measures of the treaty-bound governments and the subversive activities of the minority groups.*<sup>83</sup>

Due to these weaknesses, the minority protection system of interwar years was doomed to failure. Towards the beginning of the World War II (WWII) and during the war years, the special minority rights given to the specific minority groups became the tool of the kin-states of the minorities for destabilization of the governments and unification with the motherland. To give an example, especially Hitler, after ascending to power turned the German minorities around Germany into a ‘fifth column’ and used the German minorities as a pretext for expansion.<sup>84</sup> After the beginning of the WWII, members of the minority groups held posts in the armies of the invader such as the German minorities turned into Nazi officials in their treaty-bound states. Alternatively, as Preece argues: *“In return for their national independence, the Slovak and Croat governments, for example, had agreed to support Nazi aims. Similarly, Hungarian allegiance to Hitler was rewarded with the transfer of Southern Slovakia and half of Transylvania to the Hungarian state in 1940.”*<sup>85</sup> On the other hand, Richard Blanke refers to the Polish historians who described the German minority in Poland as obedient to and mobilized by Berlin and just awaiting orders to attack Poland from within and told

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<sup>83</sup> Josef L. Kunz, “The Present Status of the International Law for the Protection of Minorities”, *The American Journal of International Law*, Vol.48, No.2, 1954, pp.283-284.

<sup>84</sup> Krasner and Froats, *op. cit.*, p.21.

<sup>85</sup> Preece, “Minority Rights in Europe: From Westphalia to Helsinki”, *op. cit.*, p.85.

how in 1939 Polish Germans formed ‘excellently armed German diversion troops’ which came out against the regular troops of the Polish army.<sup>86</sup>

There was a similar situation in the Balkans during the Second World War. Using the minority groups as a pretext to claim the territories, revisionist states in the Balkans, Bulgaria, Albania and Croatia, attacked the other states to form ‘Greater Albania, Bulgaria or Croatia’ by including the territories resided by their minorities. For instance, Bulgaria annexed Southern Dobrudja, parts of Macedonia in Yugoslavia and Greece, and Western Thrace where indeed heavily dwelled by the Turkish and Bulgarian minority groups.<sup>87</sup>

In contrast, during the WWII, increase in the separatist activities of the minority groups escorted to the ruthless actions of the governments against their minorities. They applied radical measures to eliminate their minority populations such as forced resettlement, forced migration or ‘genocide’. To give an example, as Blanke points out:

*In August 1939, about 95,000 Germans mostly from Poland, were housed in refugee camps along the Polish border... When the war did come in September, they were subjected to mass arrests, forced marches, internment in concentration camps and a wave of terror by civilians and soldiers alike, which took the lives of 5000 Germans in Poland.*<sup>88</sup>

Besides, the fascist cruelty and the horrors of ‘Nazi Holocaust’, in which millions of minority members were exterminated by the German forces, showed that the international system of minority protection had failed.

In addition, the Second World War created two new superpowers that would lead the international politics. The first superpower, the US, one of the main proponents of “universal human rights” had never faced a “national minority problem” in its history, and as a nation of immigrants, American identity was based on political

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<sup>86</sup> Richard Blanke, “The German Minority in Inter-War Poland and German Foreign Policy – Some Reconsiderations”, *Journal of Contemporary History*, Vol.25, No.1, 1990, pp.96-97.

<sup>87</sup> Ortakovski, *op. cit.*, p.132.

<sup>88</sup> Blanke, *op. cit.*, p.98.

beliefs not ascriptive ties and its main governing ideology was grounded upon individualism, democracy and capitalism.<sup>89</sup> As Claude quotes Undersecretary of State of the US, Sumner Welles, gave a speech in May 1943: “... *in the world for which we fight, there must cease to exist any need for the use of that accursed term ‘racial or religious minority’.*”<sup>90</sup> Moreover, the second superpower, the Soviet Union accommodated tens of various ethnic minority groups, and each group had national demands for cultural and political rights. Thus, as Krasner argues Moscow calculated the risks of granting minority rights to the national minorities; fused socialist internationalism and the exigencies of Stalinist centralism, and the communist party chose to suppress the ethno-national political movements against the protection of minority rights.<sup>91</sup>

Thus, the exploitation of the minority groups before and during the WWII for aggressive goals, the genocide of the minority groups by their host states and the opposition of the superpowers against the special protection for minority groups entailed the general disillusionment with the system of minority protection in the international politics, and during the WWII discussion began on how the League of Nations system of minority protection would be replaced by a new system; at the end, the idea of ‘universal’ protection of ‘human rights’ of the individuals attracted increasing attention and sympathy.<sup>92</sup> The logic behind the change was to universalize the basic rights of the individuals all around world which would remove the causes for ‘particular and collective’ rights for minority groups and the suspicion of states containing these groups. As Schechtman argues:

*The belief was expressed that a universal approach – as opposed to a regional or group approach – to the protection of the rights of the individual would remove the causes of irritation on the part of the states bound by the minorities treaties; with the implied stigma of inferiority removed, states*

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<sup>89</sup> Krasner and Froats, *op. cit.*, pp.21-22.

<sup>90</sup> Inis L. Claude, *National Minorities: An International Problem*, (Cambridge: Harvard University Press, 1955), pp.74-75.

<sup>91</sup> Krasner and Froats, *op. cit.*, p.22.

<sup>92</sup> Joseph B. Schechtman, “Decline of the International Protection of Minority Rights”, *The Western Political Quarterly*, Vol.4, No.1, 1951, p.2.

*were expected to be more ready to assume equal responsibilities toward their own citizens.*<sup>93</sup>

Furthermore, it was argued in the international arena that the universal human rights regime would comprise all the members of minority groups all around the world which would remove the discriminatory regime of the League of Nations, and in case of any maltreatment by any state towards its minority members, they would have the right to refer it to the 'International Court' under the title of 'violation of human rights'. Moreover, the replacement of the specific minority protection laws by the universal human rights would, also provide equal rights for all the citizens, and thus, would not alienate any such groups. Instead, the new system would help the assimilation aims of the states, and eliminate their minority problems.

As a result, a new system was established after the WWII, in which universal human rights norms based on a Western and liberal philosophy that emphasized the political over the economic, social and cultural rights and the essential equality of individuals not groups.<sup>94</sup> As Joseph Kunz noted in a famous and widely quoted phrase:

*He who dedicates his life to the study of international law in these troubled times is sometimes struck by the appearance as if there were fashions in international law just as in neckties. At the end of the First World War, 'international protection of minorities' was the great fashion... Recently this fashion has become nearly obsolete. Today the well-dressed international lawyer wears 'human rights'.*<sup>95</sup>

In the new system, nation-states are considered to be formed by equal citizens. The citizens have the same rights regardless of their ethnic, religious or cultural backgrounds and are not discriminated because of their above-noted characteristics. Thus, there is no need to create minority groups by applying special minority rights to any collectivity. The establishment of the new system

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<sup>93</sup> *Ibid.*

<sup>94</sup> Joel E. Oestreich, "Liberal Theory and Minority Group Rights", *Human Rights Quarterly*, Vol.21, No.1, 1999, pp.109-110.

<sup>95</sup> *Ibid.*, p.110.

was proclaimed in the Article 6 of the Atlantic Charter, the Declaration of United Nations on January 1, 1942, the Declaration regarding Italy by the Moscow Conference, and the Declaration concerning Germany by the Potsdam Conference, in all of which universalization of the individual human rights accentuated.<sup>96</sup>

During the negotiations in Dumberton Oaks in 1944, San Francisco Conference in April 1945 and the Charter of the United Nations (UN) in June 1945, the term ‘minority’ was never mentioned. The fear of nation-states from granting special rights to minority groups that might threaten the unity of their territory played an important role in the opposition and omitting of the term ‘minority rights’. One striking example about the reluctance of the states to include special minority clauses in the treaties signed after the WWII was the negotiations of the Hungary-Yugoslavia Treaty in which the Yugoslavian delegate proposed to insert a sentence guaranteeing the right of the ‘Yugoslav minority’ in Hungary to be educated in their native tongue.<sup>97</sup> The leading powers after the WWII, such as the US and British delegates, explicitly opposed such an amendment arguing that minority groups should be assimilated instead of perpetuated by adding special provisions to the peace treaties. As Schechtman cites:

*‘It is difficult for a citizen of the United States to understand the desire to perpetuate racial minorities rather than absorb them.’ said Lieutenant General Walter Bedell Smith of the US and the British delegate Lord Hood declared ‘I agree that our aim should be to assimilate racial minorities in the countries where they live rather than to perpetuate them.’<sup>98</sup>*

At the end, Yugoslav delegation withdrew its proposal stating the impossibility of proposal’s realization.

Accordingly, the UN Charter in several articles, more than seven times, declares the principles of the universal respect for human rights and fundamental freedoms,

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<sup>96</sup> Schechtman, *op. cit.*, p.3.

<sup>97</sup> *Ibid.*, p.8.

<sup>98</sup> *Ibid.*, p.9.

equality and non-discrimination instead of specific rights for the minority groups.<sup>99</sup> For instance, in the Article 1 of the UN Charter, in which the purposes of the UN are enumerated, the third purpose of the UN is declared as:

*To achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion.*<sup>100</sup>

Hence, the UN accepted the non-discrimination system as a principle interlinked with the minority rights, and human rights had become an international law applicable to everyone in the world. In addition, the UN turned out to be the protector and the promoter of human rights in all over the world.

For the supervision of the human rights tasks of the UN, the Commission on Human Rights was founded. In the first session of the Commission on Human Rights, a special Sub-Commission on Prevention of Discrimination and the Protection of Minorities consisting of experts from different countries were appointed which aimed at formulating the minority rights part of the International Bill of Rights that was planned to be declared.<sup>101</sup> The Sub-Commission prepared a draft text as the 36<sup>th</sup> Article of the Universal Declaration of Human Rights:

*In States inhabited by well-defined ethnic, linguistic or religious groups which are clearly distinguished from the rest of the population, and which want to be accorded differential treatment, persons belonging to such groups shall have the right, as far as is compatible with public order and security, to establish and maintain their schools and cultural or religious institutions, and to use their own language in script, in the press, in public assembly and before the courts and other authorities of the State, if they so choose.*<sup>102</sup>

Nevertheless, the UN Commission of Human Rights rejected the proposal of the Sub-Commission. Especially, the US, Australia, and the states in Latin America

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<sup>99</sup> Ortakovski, *op. cit.*, pp.139-140.

<sup>100</sup> For the whole text of the UN Charter please visit the official web site of the UN: <http://www.un.org/aboutun/charter/index.html> accessed on 15.12.2004.

<sup>101</sup> Schechtman, *op. cit.*, p.3.

<sup>102</sup> *Ibid.*, p.4.

announced that they would advocate the assimilation of minorities; not their protection and Mexico, Chile and Brazil insisted that giving minorities national rights would be the same as suicide.<sup>103</sup> The representative of Ecuador in the Sub-Commission clearly stated the suspicions of the states about their national unity and security in case of a new system of international minority rights protection:

*The fundamental task of the United Nations was to find means to ensure the rapid assimilation of minority groups. It would be unprofitable and dangerous to preserve those groups permanently. The greater importance should, on the contrary, be given to an effective system to ensure the implementation of the protection of human rights which would at the same time guarantee ipso jure all minority rights.*<sup>104</sup>

On December 10, 1948, the General Assembly of the UN adopted the Universal Declaration on Human Rights, which includes general human rights articles. Similar with the Charter, the Universal Declaration of Human Rights does not have specific provisions for the protection of the minority rights; instead, it provides wide range of individual rights which are, also applicable to the persons belonging to minority groups. In the first two articles of the Universal Declaration of Human Rights the principles of non-discrimination and equality are promulgated:

**Article 1:** *All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.*<sup>105</sup>

**Article 2:** *Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.*<sup>106</sup>

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<sup>103</sup> Ortakovski, *op. cit.*, p.141.

<sup>104</sup> Schechtman, *op. cit.*, p.5. See (E/CN.4/Sub.2/SR 24) for the Draft Text of the Sub-Commission.

<sup>105</sup> For the whole text of the Universal Declaration of Human Rights visit: <http://www.un.org/Overview/rights.html> accessed on 15.12.2004.

<sup>106</sup> *Ibid.*

Moreover, as Vladimir Ortakovski notes, the equality before the law, equal pay for equal work, rights to free opinion and expression, movement, legal status, nationality, property, peaceful assembly and association and access to public services; freedom of thought, conscience and religion are guaranteed in the Declaration.<sup>107</sup> In addition, in the Article 26 the right for education is organized and it states that parents have the right to choose the kind of education that shall be given to their children and the Article 27 stipulates that everyone has the right freely to participate in the cultural life of the community.<sup>108</sup> As a result, the UN declared the fundamental human rights for every individual including the rights relevant to the minority groups without referring to the term ‘minority’. At the same time, the General Assembly of the UN accepted the Resolution 217 C (III), which affirmed that the UN would not remain indifferent to the fate of the minorities. Yet, the Resolution, also, stated the difficulty of adopting “a uniform solution for such a complex and delicate question, which has special aspects in each state in which it arises”, and stressed the need to “make a thorough study of the problem of minorities, in order that the United Nations may be able to take effective measures for the protection of racial, national, religious or linguistic minorities.”<sup>109</sup> Indeed, the studies of the UN about the minority rights produced new covenants in which the term ‘minority’ is clearly stated and reached its peak with the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities.

During the establishment phase of the UN, the only Convention directly targeting the minority groups declared by the General Assembly was the Convention on the Prevention and Punishment of the Crime of Genocide (12 January 1951). The Convention on the Prevention and Punishment of the Crime of Genocide aimed at protecting the basic rights of the minority groups such as freedom of life, freedom

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<sup>107</sup> Ortakovski, *op. cit.*, p.141.

<sup>108</sup> The Universal Declaration of Human Rights: <http://www.un.org/Overview/rights.html> accessed on 15.12.2004.

<sup>109</sup> For the text of the UN Resolution 217 C (III), 1948: Fate of the minorities visit: <http://www.riga.lv/minelres/un/res217.htm> accessed on 17.12.2004.

from maltreatment, collective torture or killings which were the most common treatment that minority groups experienced during the Second World War. The Article 2 of the Convention states:

*In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:*

- (a) *Killing members of the group;*
- (b) *Causing serious bodily or mental harm to members of the group;*
- (c) *Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;*
- (d) *Imposing measures intended to prevent births within the group;*
- (e) *Forcibly transferring children of the group to another group.*<sup>110</sup>

Thus, as Thornberry argues, the minorities are the natural victims of genocide in almost all cases, and the Convention provides as a minimum standard about what might be termed as ‘right of existence’ for human groups.<sup>111</sup> Nevertheless, the court to implement the punishment for genocide was not provided, and instead of the freedom from mistreatment and the right to life, the cultural aspect of genocide was excluded from the definition. However, the cultural genocide in form of forcible assimilation is usually applied by the states towards minority groups.<sup>112</sup> In addition, the term “minority groups” were non-existent in this Covenant which was obviously declared for the protection of minority groups.

In June 15, 1960, the Convention Concerning Discrimination in Respect of Employment and Occupation was signed. In the Article 1 of the Convention ‘discrimination’ is defined as:

*Any distinction, exclusion, or preference made on the basis of race, color, sex, religion, political opinion, national extraction or social origin, which*

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<sup>110</sup> For the full text of the Convention on the Prevention and Punishment of the Crime of Genocide visit University of Minnesota Human Rights Library: <http://www1.umn.edu/humanrts/instree/xlcppcg.htm> accessed on 17.12.2004.

<sup>111</sup> Thornberry, *op. cit.*, p.7.

<sup>112</sup> *Ibid.*, p.14.

*has the effect of mollifying or impairing equality of opportunity or treatment in employment or occupation.*<sup>113</sup>

As Ortakovski points out, in the Articles 2 and 3, the states are obliged to provide equal opportunity and treatment in respect of employment and occupation, and accordingly, the Convention guarantees equality of opportunity and equal treatment in employment or occupation for minority groups.<sup>114</sup>

Another Convention related with the minority rights is the UNESCO Convention against Discrimination in Education adopted on May 22, 1962. The Convention guarantees the opening of the minority schools in which the language of instruction is the language of the minority group. Articles 2 and 5 states:

*Article 2: When permitted in a State, the following situations shall not be deemed to constitute discrimination, within the meaning of Article 1 of this Convention.*

*(b) The establishment or maintenance, for religious or linguistic reasons, of separate educational systems or institutions offering an education which is in keeping with the wishes of the pupil's parents or legal guardians...*

*Article 5: The State Parties to this Convention agree that: (a) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms; it shall promote understanding, tolerance and friendship among all nations, racial or religious groups... the religious and moral education of the children shall be in conformity with their own convictions... ”<sup>115</sup>*

Consequently, by the UNESCO Convention against Discrimination in Education, the minorities indirectly gained the right to open minority schools with minority language as a language of instruction, and these institutions would not be discriminated by the state.

Another important convention about minorities is the Convention on the Elimination of All Forms of Racial Discrimination. The minorities and the

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<sup>113</sup> Ortakovski, *op. cit.*, p.143.

<sup>114</sup> *Ibid.*, p.143.

<sup>115</sup> For the full text of the UNESCO Convention against Discrimination in Education visit the official web site of UNESCO: <http://www.unesco.org/most/rr4educ.htm> accessed on 17.12.2004.

minority rights are clearly referred in the Article 1(4) and Article 2(2) of the Convention<sup>116</sup>:

*4. Special measures taken for the sole purpose of securing adequate advancement of certain racial or ethnic groups or individuals requiring such protection as may be necessary in order to ensure such groups or individuals equal enjoyment or exercise of human rights and fundamental freedoms shall not be deemed racial discrimination, provided, however, that such measures do not, as a consequence, lead to the maintenance of separate rights for different racial groups and that they shall not be continued after the objectives for which they were taken have been achieved.*

*2. State Parties shall, when the circumstances so warrant, take, in the social, economic, cultural and other fields, special and concrete measures to ensure the adequate development and protection of certain racial groups or individuals belonging to them, for the purpose of guaranteeing them the full and equal enjoyment of human rights and fundamental freedoms.*<sup>117</sup>

Thus, the Articles 1 and 2 require protection for minority groups and their equal treatment by the state as the other citizens, but the Articles refuse the positive rights of the minority groups that are the rights provided only for the minority group excluding the majority. Still, as Elena Andreevska points out, the Convention addresses racial groups without mentioning the term ‘minority’, and specifying their percentage of total population.<sup>118</sup>

On 16 December, 1966, the General Assembly of the UN adopted the International Covenant on Civil and Political Rights (entered in to force on 23 March, 1976), which was a turning point in the evolution of minority rights during the Cold War period. In the Covenant, for the first time after the end of the League of Nations system of minority protection, the term ‘minority’ was used in the Article 27. The Article 27 of the International Covenant on Civil and Political Rights states that:

*Article 27: In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in*

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<sup>116</sup> Thornberry, *op. cit.*, p.13.

<sup>117</sup> For the full text of the International Convention on the Elimination of All Forms of Racial Discrimination, visit the official web site of the UN: [http://www.unhcr.ch/html/menu3/b/d\\_icerd.htm](http://www.unhcr.ch/html/menu3/b/d_icerd.htm) accessed on 17.12.2004.

<sup>118</sup> Andreevska, *op. cit.*, p.55.

*community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language.*<sup>119</sup>

In the Article 27, the Covenant enumerates the cultural, religious and linguistic rights of the persons belonging to minority groups. Article 2 reminds the principles of non-discrimination and equality, and application of these principles by all the states without any distinction of race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.<sup>120</sup>

Nonetheless, the phrase employed in the Covenant, ‘the persons belonging to minority groups’, indicated that minorities are formed of individuals and each individual has its own rights instead of the collective rights of the minority groups as a collectivity such as teaching the minority languages in the schools. Besides, the phrase used in the Covenant, ‘in those states which ... minorities exist’, leaves room for the states themselves to decide whether there are minorities on their territory or not, and the Covenant does not contain anything about enforcing the states which have minority groups to implement the provisions of the Covenant.<sup>121</sup>

On the other hand, the Covenant could be considered as a departure from the deep neglecting of the minority rights after the Second World War under the UN system. As noted above, the Covenant acknowledges that the minority groups or at least the persons belonging to minority groups exist; they have cultural, religious and linguistic rights; and the concerning states have to take appropriate measures to enable the persons belonging to minority groups to preserve their characteristics.

In addition to the UN, two other organizations in Europe have declarations and bodies working on the minority rights issue: the Council of Europe and the

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<sup>119</sup> For the full text of the International Covenant on Civil and Political Rights visit: [http://www.unhchr.ch/html/menu3/b/a\\_ccpr.htm](http://www.unhchr.ch/html/menu3/b/a_ccpr.htm) accessed on 18.12.2004.

<sup>120</sup> *Ibid.*

<sup>121</sup> Ortakovski, *op. cit.*, p.146.

Conference for Security and Co-operation in Europe (Organization for Security and Co-operation in Europe – OSCE after January 1995).

After its creation in 1949, the Council of Europe adopted the Convention for the Protection of Human Rights and Fundamental Freedoms on November 04, 1950, parallel to the UN's Universal Declaration of Human Rights. The Council's Convention for the Protection of Human Rights has, also, emphasized the universality of the human rights, equality and non-discrimination, and has no articles mentioning the minority groups or rights. The rights of life, prohibition of torture, security, fair trial, no punishment without law, respect for private and family life, education, freedom of thought and religion, expression, assembly and association, prohibition of discrimination are the basic principles of the Convention.<sup>122</sup> Instead of exclusion of the specific minority rights, in the Article 14 of the Convention, the phrase, 'association with a national minority' is used. The Article 14 points out that:

*The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, color, language, religion, political or other opinion, national or social origin, 'association with a national minority', property, birth or other status.*<sup>123</sup>

Furthermore, two institutions were set up related with the functioning of the Convention: the European Commission of Human Rights and the European Court of Human Rights. The 'individuals' whose human rights are violated gained the right to submit petitions to these institutions. Besides, all the articles in the Convention have superiority over the domestic laws of states that are members of the Council of Europe, and states cannot enact laws violating the principles enumerated in the Convention. Thus, the Convention and its broad range of civil and political rights are legally binding for all the states signed the text.

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<sup>122</sup> For the full text of the Convention for the Protection of Human Rights and Fundamental Freedoms visit: <http://conventions.coe.int/treaty/en/Treaties/Html/005.htm> accessed on 18.12.2004.

<sup>123</sup> *Ibid.*

In addition, the Legal Committee of the Consultative Assembly raised a report in 1949 about addition of the legal protection of minorities, the request on examination of the problem of minorities in 1950, the proposal for the establishment of a committee on the implications of the European Council's Convention for the Protection of Human Rights and Fundamental Freedoms on the rights of the minority groups in 1956, and the proposal to sign a special minority protocol in 1961; yet, all were rejected arguing that the proposals would lead to a procedure similar to that applied in the League of Nations.<sup>124</sup>

The CSCE is the second institution in Europe that has been working on the minority rights since 1975. It was originally devised to protect the security and peace between states in Europe; however, later included the issues of human and minority rights protection in its institutional organization. The declarations of the CSCE are not legally binding on its members; nevertheless, they are politically binding and have significance in creating an adequate climate and public opinion for the advancement of the protection of minority rights.<sup>125</sup> The works of the CSCE about the minority rights began with the Helsinki Final Act in 1975. The Helsinki Final Act was composed of four Baskets: Basket I – Questions Relating to Security in Europe, Basket II – Cooperation in Field of Economics, of Science and Technology and of the Environment, Basket III – Cooperation in Humanitarian and Other Fields, Basket IV – Follow-up Process. The minority rights mentioned in numerous parts of the Helsinki Final Act, such as the 'Declaration on Principles Guiding Relations between Participating States' in which the Principle 7 arranges human rights and fundamental freedoms and minority rights:

***Principle 7:** The participating States will respect human rights and fundamental freedoms, including the freedom of thought conscience, religion or belief, for all without distinction as to race, sex, language or religion. The Participating States on whose territory national minorities*

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<sup>124</sup> Jennifer Jackson Preece, *National Minorities and the European Nation-States System*, (Oxford: Oxford University Press, 1998), p.142.

<sup>125</sup> Ortakovski, *op. cit.*, p.153.

*exist will respect the right of persons belonging to such minorities to equality before the law, will afford them the full opportunity for the actual enjoyment of human rights and fundamental freedoms and will, in this manner, protect their legitimate interests in this sphere.*<sup>126</sup>

By the Principle 7 of the Helsinki Final Act, once more, the states had the right to decide on ‘whether there are any minority groups living in its borders or not’ because of the term used ‘the states on whose territory national minorities exist’. Furthermore, the minorities are still regarded as individuals, and their negative rights (equality and non-discrimination) are granted, but their collective (positive) rights are ignored, and no special parts are designed as a whole for the protection of minority groups. However, the Helsinki Final Act could be considered as another departure from the usual reluctance of the Cold War period to use the term ‘minorities’. Yet, as shown above, it has many limitations for the protection of minority groups, especially the collective rights of the minorities, and moreover, as Preece argues:

*This initial interest in minority concerns was not sustained in various ‘CSCE Follow-up Meetings’ which took place between 1975-89. Instead, these meetings were dominated by a concern with the treatment of political dissidents and the violation of individual human rights, particularly those civil and political liberties associated with the movements towards democracy in Communist states.*<sup>127</sup>

In short, during the Cold War period, from 1945 to 1989, there was a general antipathy around the world towards the minority groups and special minority rights. The states, especially the powerful ones determining the policies of the UN were reluctant to grant any special rights for the minority groups, and were favoring the peaceful assimilation of minorities whom they regard as the ‘source of conflict’. The most important cause for this reluctance was the usage of the minority groups during the Second World War as an excuse to attack the other states and the assistance of minority groups to their aggressor kin-states which led

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<sup>126</sup> For the full text of the Helsinki Final Act of the CSCE visit:

<http://www.osce.org/docs/english/1990-1999/summits/helfa75e.htm> accessed on 18.12.2004.

<sup>127</sup> Preece, “Minority Rights in Europe: from Westphalia to Helsinki”, *op. cit.*, p.88.

the states having minority groups to consider the minorities as a threat to their security and unity. In addition, the states with minorities held the view that the system of the League of Nations which introduced specific rights for minority groups caused such separatist activities of the minorities during the WWII by stressing and perpetuating the differences of these groups from the majority population. On the other hand, at the systemic level, after the formation of the bipolar system at the end of the WWII, both superpowers, which had also several minority problems, resisted the special rights for minority groups, and favored the peaceful assimilation of the minorities. The desire of the superpowers for the continuation of the established system without any conflicts that might end the peaceful co-existence of the states and might lead to a total war between the two rival blocs, guided them to resist any kind of minority rights. Instead, the states favored and put into force the system of 'universal human rights system' which contained all the human beings and, thus, the minorities. The logic behind the system of universal human rights was that all the human beings are equal and not discriminated (negative minority rights were granted), so, there is no need for any special rights (positive rights were neglected) and the minority groups would not demand any further rights and they would accept the peaceful assimilation among the majority population, and the assimilation of the minorities would end the conflicts that have been caused by these groups, and also, the security threats felt by the states and another great war anxiety of the superpowers.

Related with these considerations in mind, the member states of the UN declared several covenants and resolutions during the Cold War without mentioning the term minority, and stressed the system of universal human rights. The proposals on addition of the special minority rights sections to the declarations were rejected most of the time. The most important document during the period of the Cold War mentioning the minorities was the Covenant on Civil and Political Rights (1966) and the Helsinki Final Act (1975) which had significant limitations on the minority protection issue. Both declarations left the authority to decide if minorities exist in the borders of any state to their own governments which deny the existence of

these groups and favor their assimilation. In addition, these declarations regarded the minority groups as individuals to ignore their collective rights and somehow drive them into the social, political and cultural life of the majority.

The system ignoring the rights of the minorities enabled the oppressive policies of the states. These policies in several states had unintended consequences such as the increasing antipathy and distrust between the minority and majority groups. The more the states suppressed the minorities and excluded them from the society, the more minority groups attached to their culture and radicalized to demand wider rights. Thus, at the end of 1980s, oppressive ethnic policies of numerous states resulted in violent ethnic conflicts and massacres witnessed by the world disgracefully, and the failure of the assimilation policies and the preservation of the international stability of the states, signified the end of the system of minority protection during the Cold War.

### **3.5 The System of Minority Protection after the Cold War**

One of the senior officials in the Clinton administration pointed out that “*ignoring minority issues is like ignoring a volcano.*”<sup>128</sup> The volcano of the minorities had been ignored during the Cold War years, and even the eruption of the volcano tried to be avoided by placing obstacles in front of it. Throughout the Cold War years, the international system favored the peaceful assimilation of the minority groups, and thus, the states applied the suppressive methods to assimilate the minorities, and avoided granting them the freedom of religion, education, culture and language. On the other hand, the minority groups left unprotected and their aspirations were frozen. However, the ice that engulfed them during the Cold War had not eliminated them; on the contrary, minority groups had remained as an unfinished and invisible agenda behind the ideological conflicts of the era.<sup>129</sup> The Covenants of the international organizations such as the UN, the Council of

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<sup>128</sup> Goldenhuys and Roussouw, *op. cit.*, p.2.

<sup>129</sup> Nigel S. Rodley, “Conceptual Problems in the Protection of Minorities: International Legal Developments”, *Human Rights Quarterly*, Vol.17.1, 1995, p.48.

Europe or the CSCE, had not mentioned the rights of the minority groups; instead, had accentuated the universal human rights system which would promote the homogeneity of the states and accelerate the assimilation of the minority groups.

Nevertheless, the volcano erupted at the end of the 1980s. The communist-party rules of the East-Central Europe and the Soviet Union collapsed leaving behind aggressive national minorities without any power to suppress them. World witnessed a historical change of the trend from centralization to decentralization, and from inclusion to exclusion, and as Franklin Sanders argues: *“For two centuries and more the trend of social events has been concentrating power, but now that trend is reversing. Power is flowing away from centers to regions and localities, from governments to individuals.”*<sup>130</sup> Namely, the superiority given to the nation-states during the Cold War began to turn towards the minority groups.

The emergence of the antagonistic nationalism after the fall of the Eastern bloc dragged the world into violent ethnic conflicts. The most brutal ethnic conflict took place in Yugoslavia, especially in Bosnia-Herzegovina, Croatia and Serbia. During the ethnic conflict in Yugoslavia, thousands of people had killed, and over two million people have been refugees or displaced people.<sup>131</sup> In contrast, the violence extended to the Caucasus, Moldova, Chechnya, Rwanda and other parts of the world where different ethnicities fight for power. The people around the world started to watch the cruel ethnic fighting and the other tragedies provided on the TV everyday. As Alan Philipps mentions:

*All of us in Europe have been exposed to the sight of the shelling of Sarajevo, bombings in Chechnya, genocide in Rwanda and Burundi and inter-communal conflict among the Kurds encouraged by Iraq and Iran... Within MRG reports and a forthcoming World Directory on Minorities covering over 700 different minority groups, there is a pattern of marginalization, impoverishment and a denial of rights. This affects at least*

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<sup>130</sup> Franklin Sanders, “The Global Rise of Ethnic Nationalism”, can be visited at: <http://www.dixienet.org/spatriot/vol2no2/member4.html> accessed on 19.12.2004.

<sup>131</sup> Alan Philipps, “Minority Rights in Europe”, November 1995, can be visited at: <http://www.geocities.com/Athens/Delphi/6509/warwick.html> accessed on 19.12.2004.

*10% of the world's population (and possibly double this number), most of whom are children and, of course, half of whom are women.*<sup>132</sup>

Besides, in 1990s the unprecedented advance of the technology, enabled information to reach everywhere in the world. With the internet technology, people, as well as the minority groups, began to reach the latest information about the developments in the world without any obstacles. Before the governments have the chance to manipulate the information, it reaches to the citizens including minorities. In addition, the movement of the individuals from country to country takes several hours, and the relations between the minority groups and their kin-states are intensified. As a result, new technological developments, also added to the collective consciousness of the minority groups and demands for the special group rights that are more than the equal treatment as same as the majority group.

In short, the end of the Cold War resurfaced the centuries old feuds and ethnic conflicts as the Eastern Bloc collapsed. Ethnic violence, genocide, state meltdown, minority rights, extreme nationalism replaced the old agenda of ideology. The long-repressed minority groups started to struggle for their religious, ethnic, and cultural rights, and the minority question, once again, became the most important subject discussed in the international arena in the beginning of 1990s.

The states, which became anxious about the broadening of ethnic conflicts and the weakening of state authority, acted quickly to alleviate the minority groups by granting wider rights including the cultural, religious and linguistic areas. As David A. Lake and Donald Rothchild points out states applied to the means of international organizations which may be necessary and appropriate because non-coercive interventions can raise the costs of purely ethnic appeals and induce groups to abide by international norms, and international commitment has more credibility.<sup>133</sup> Thus, the international organizations agreed on several Declarations

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<sup>132</sup> Alan Philips, "Priorities for the Future – What can a Country like Finland do?", September 1996, can be visited at: <http://www.geocities.com/Athens/Delphi/6509/finno003.html> accessed on 19.12.2004.

<sup>133</sup> David A. Lake, Donald Rothchild, "Containing Fear: The Origins and Management of Ethnic Conflict", *International Security*, Vol.21, No.2, Fall 1996, p.41.

to protect minority groups who are vulnerable to discrimination and mal-treatment applied by the nationalist governments of the states, and to assuage the uneasy minority groups.

The first such international meeting was held by the CSCE in Copenhagen in June 1990, which was related with minority rights. The member states of the CSCE signed the “Document of the Copenhagen Meeting of the Conference on the Human Dimensions of the CSCE”, in which the departure from the reluctance of states about minority rights during the Cold War and the growing importance of the minority issue after the end of Cold War could be clearly observed. The pluralistic society, the rule of law and the liberal democracy were stressed at the beginning of the text, and the persons belonging to minority groups granted extensive rights. The Article 30 of the Copenhagen Document addresses for the resolution of national minority problems:

*Article 30: The Participating States recognize that the questions relating to national minorities can only be satisfactorily resolved in a democratic political framework based on the rule of law with a functioning independent judiciary ... that place effective restraints on the abuse of governmental power... They further reaffirm that respect for the rights of persons belonging to national minorities as part of universally recognized human rights is an essential factor for peace, justice, stability and democracy in the participating States.*<sup>134</sup>

In the Article 32 of the Copenhagen Document the rights of minorities are summarized in general as ‘the right to freely to express, preserve and develop their ethnic, cultural, linguistic or religious identity and to maintain and develop their culture in all its aspects, free of any attempts at assimilation against their will’, and then particularly enumerated:

- 1) *to use freely their mother tongue in private as well as in public,*
- 2) *to establish and maintain their own educational, cultural and religious institutions, organizations or associations,*

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<sup>134</sup> For the full text of the Copenhagen Document (1990) of the CSCE visit: <http://www.osce.org/docs/english/1990-1999/hd/cope90e.htm> accessed on 19.12.2004.

- 3) *to profess and practice their religion, including the acquisition, possession and use of religious materials, and to conduct religious educational activities in their mother tongue,*
- 4) *to establish and maintain unimpeded contacts among themselves within their country as well as contacts across frontiers with citizens of other States with whom they share a common ethnic or national origin, cultural heritage or religious beliefs,*
- 5) *to disseminate, have access to and exchange information in their mother tongue,*
- 6) *to establish and maintain organizations or associations within their country and to participate in international nongovernmental organizations.*<sup>135</sup>

In addition, the Articles 33, 34, 35, 36, 38, 39 and 40 of the Copenhagen Document listed the duties of the states towards the minorities comprehensively. In the Article 33, states are obliged to protect the ethnic, cultural, linguistic and religious identity of national minorities on their territory and create conditions for the promotion of that identity. Furthermore, several positive rights of minority groups are also recognized in the Copenhagen Document. For instance, the Article 35 states that:

*The participating States note the efforts undertaken to protect and create conditions for the promotion of the ethnic, cultural, linguistic and religious identity of certain national minorities ... by establishing appropriate local or autonomous administrations corresponding to the specific historical and territorial circumstances of such minorities...*<sup>136</sup>

Besides, the last paragraph of the Article 32 admits the long-ignored fact that the persons belonging to a minority are the parts of minority groups: *“Persons belonging to national minorities can exercise and enjoy their rights individually as well as in community with other members of their group.”*<sup>137</sup>

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<sup>135</sup> *Ibid.*

<sup>136</sup> *Ibid.*

<sup>137</sup> *Ibid.*

As a result, the Copenhagen Document of the CSCE is the first document since WWII, which contains a special part for the rights of minorities, and enumerates these rights in such a detailed form. The Document, also levies states with several obligations towards minorities; prohibits any kind of attempts for assimilation, and recognizes several positive rights of the minority groups in addition to their negative rights for the first time since the WWII. Thus, the alteration of minority rights issue and its rising importance in the international law after the end of Cold War can be clearly observed in the Copenhagen Document.

After the Copenhagen Meeting, the CSCE set forth several new minority-specific rights in the other Conferences such as the Charter of Paris for a New Europe (Nov. 1990), the 1991 Report of the Geneva Meeting of Experts on National Minorities, and the Moscow Summit (1991), and the Helsinki Summit (1992). In the Charter of Paris, the principle - “*national minorities make a rich contribution to the life of our societies*” - was underlined and the determination of states to foster that rich contribution stressed.<sup>138</sup> In the Report of the Geneva Meeting of Experts on national Minorities, the conferences of Copenhagen, Moscow and Paris were further elaborated and the standards of minority protection of the CSCE were resolved as such: Protection of the characteristics of minorities – no compulsory assimilation, free usage of mother tongue, participation in decision-making, equality, non-discrimination, establish and maintain organizations, free media access, minorities not an internal matter of the state – set as an international concern.<sup>139</sup>

In accordance with the principles set, the High Commissioner on National Minorities of the CSCE (later OSCE) was established in 1992 decided in the Helsinki Meeting (1992). The High Commissioner on National Minorities (HCNM) frequently carries out assessments and makes recommendations that are politically binding (not legally binding), aimed to:

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<sup>138</sup> For the full text of the Charter of Paris for a New Europe (1990) of the CSCE visit: <http://www.osce.org/docs/english/1990-1999/summits/paris90e.htm> accessed on 19.12.2004.

<sup>139</sup> Andreevska, *op. cit.*, pp.105-106.

*Assist governments in meeting their international obligations and commitments by acting as a kind of 'translator' of norms, operate as a 'gate-keeper' for the States that strive to meet entry for the Euro-Atlantic institutions such as European Union, clarify the international standards for the protection of minorities to prevent inconsistent policies, and provide 'early warning' and, as appropriate, 'early action' at the earliest possible stage in regard to tensions involving national minority issues that had not yet developed beyond an early warning stage as a 'trip wire' to alert when such tensions threaten to escalate.*<sup>140</sup>

Today, the HCNM is working for the protection of every minority group within its 55 member states from Vancouver to Vladivostok where almost every state contains national minorities.

The second international organization to act on the issue of minority rights is the United Nations. After lengthy discussions of the UN General Assembly, the United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities was adopted by Res. 47/135 on December 18, 1992. In the Preamble of the Declaration, the General Assembly emphasized 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, and to the strengthening of friendship and cooperation among peoples and states', which was regarded as a source of conflict and separatism during the Cold War years, and the main goal of the Declaration is explained as promoting the materialization of principles contained in the UN Charter and all the other Conventions accepted during the Cold War years.<sup>141</sup>

The Article 1 of the Declaration obliges states with 'protection of the existence and national or ethnic, cultural, religious and linguistic identity of minorities, promotion of that identity, and adopting appropriate legislative and other measures

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<sup>140</sup> Pamphlet No.9 of the UN Guide for Minorities, "High Commissioner on National Minorities of the Organization for Security and Cooperation in Europe", visit at: [www.unhcr.ch/html/racism/minorpam9.doc](http://www.unhcr.ch/html/racism/minorpam9.doc) accessed on 20.12.2004.

<sup>141</sup> For the full text of the United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities visit: [http://www.unhcr.ch/html/menu3/b/d\\_minori.htm](http://www.unhcr.ch/html/menu3/b/d_minori.htm) accessed on 20.12.2004.

for those ends'.<sup>142</sup> The most important of all, the Article 2 embodied the rights of persons belonging to national, ethnic religious and linguistic minorities:

- 1) *Persons belonging to 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...*
- 2) *To participate effectively in cultural, religious, social, economic and public life,*
- 3) *To participate effectively in decisions on the national, and where appropriate, regional level concerning the minority to which they belong or the regions in which they live...*
- 4) *To establish and maintain their own associations,*
- 5) *To establish and maintain, without any discrimination, free and peaceful contacts with other members of their group and with persons belonging to other minorities, as well as contacts across frontiers with citizens of other States...*<sup>143</sup>

The Article 3 puts forward that the rights present in the Declaration can be exercised individually as well as in community with other members of their group, and the Article 4 lists the measures that should be taken by states:

- 1) *States shall take measures where required to ensure that persons belonging to minorities may exercise fully and effectively all their human rights and fundamental freedoms without any discrimination and in full equality before law,*
- 2) *To create favorable conditions to enable persons belonging to minorities to express their characteristics and to develop their culture, language, religion, traditions and customs...*
- 3) *To learn their mother tongue or to have instruction in their mother tongue,*
- 4) *To encourage knowledge of the history, traditions, language and culture of the minorities...*

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<sup>142</sup> *Ibid.*

<sup>143</sup> *Ibid.*

5) *To participate fully in the economic progress and development in their country.*<sup>144</sup>

On the other hand, the Articles 4 and 8 clearly warn the persons belonging to minorities not to involve in any kind of activities that is contrary to the purposes and principles of the United Nations, including sovereign equality, territorial integrity and political independence of states.

Consequently, the United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities is the first document adopted after the WWII which is totally devoted to the minority protection issue. The Declaration, also set up new norms and standards on the minority rights, and embodied the principles of non-discrimination, equality, the promotion and respect for the identity and cultural values of minority groups. However, the stress on the individual rights and the phrase used ‘persons belonging to minorities’, instead of ‘minority groups’ and their collective rights limits the advances it would create, and reminds the reluctance towards minority rights during the Cold War. Also, the caveat against the activities of minorities in opposition to sovereignty and territorial integrity of states reveals, once more, the quarrel between state authority and minority rights, and the efforts of states not to grant any minority rights that would limit their sovereignty or threaten their territorial integrity.

Following the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, the UN Sub-Commission Working Group on Minorities is created in 1995. The major tasks of the Working Group on Minorities are ‘to review the promotion and practical realization of the Minorities Declaration, to examine possible solutions to problems involving minorities, including the promotion of mutual understanding between and among minorities and governments, to hear suggestions and recommend further measures for the

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<sup>144</sup> *Ibid.*

promotion of rights of persons belonging to minorities.’<sup>145</sup> With the growing interest on the minority rights in the international arena, the Working group on Minorities transformed into a more important focus for the UN activities about the minority issues.

The third international organization to adopt declarations on the minority rights issue is the Council of Europe. After the end of Cold War, the first important agreement adopted by the Council of Europe on the minority protection is ‘the European Charter for Regional or Minority Languages’. The Charter is signed on November 5, 1992, and as stated by the Council of Europe, aims to protect and promote the historical regional or minority languages of Europe, and it was adopted, on the one hand, in order to maintain and develop the Europe’s cultural traditions and heritage, on the other hand, to respect an inalienable and commonly recognized right to use a regional or minority language in private and public life.<sup>146</sup> The Article 7 of the Charter explains the basic principles that states should base their policies related with regional or minority languages: “*Minority languages are an expression of cultural wealth, obstacles to the promotion of minority languages should be removed, minority language usage should be encouraged and facilitated, the institutions to learn and promote the minority languages should be set up ...*”<sup>147</sup>

The second convention on minority rights adopted by the Council of Europe on February 1, 1995 is ‘the Framework Convention for the Protection of National Minorities’. The Framework Convention is the only document about minority rights that is legally binding on its Contracting Parties. The Convention also devoted as a whole for the promotion of minority rights and contains substantial standards for the persons belonging to minorities. The main aim of the Framework

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<sup>145</sup> Pamphlet No.2 of the UN Guide for Minorities, “Minorities and the United Nations: The UN Working Group on Minorities”, visit at: [www.unhchr.ch/html/racism/minorpam2.doc](http://www.unhchr.ch/html/racism/minorpam2.doc) accessed on 20.12.2004.

<sup>146</sup> For the full text of the European Charter for Regional or Minority Languages, visit: <http://conventions.coe.int/Treaty/EN/treaties/Html/148.htm> accessed on 20.12.2004.

<sup>147</sup> *Ibid.*

Convention is, as stated in the Preamble, ‘the protection of the existence of national minorities which is essential to stability, democratic security and peace’. The Preamble argues that ‘a pluralist and genuinely democratic society should not only respect the ethnic, cultural, linguistic and religious identity of each person belonging to a national minority, but also create appropriate conditions enabling them to express, preserve and develop this identity which would led to the creation of a climate of tolerance and dialogue and a prosperous Europe’.<sup>148</sup> The Article 1 of the Convention conveys that the protection of national minorities is not a domestic problem of states; instead, the minority protection falls within the scope of international co-operation. By the Article 1, the Framework Convention guarantees the international protection of minority groups by limiting the authority of states on their minority groups. The Article 3 grants minorities the right to exercise the freedoms individually or in a community according to their choice. The Article 4 organizes the equality and non-discrimination principles for minority groups:

*The Parties undertake to guarantee to persons belonging to national minorities the right of equality before the law and of equal protection of the law. In this respect, any discrimination based on belonging to a national minority shall be prohibited.*<sup>149</sup>

The Article 5 bans states from applying any kind of ‘forced assimilation’ against the will of minorities; in its place, states have to protect minorities from any action of any group aimed at forced assimilation. The Articles 7 and 8 endow minorities the freedom of peaceful assembly, association, expression, thought, conscience and religion, the right to establish religious institutions, organizations and associations. The Article 9 recognizes the right to free access to media, right to establish and use of their own media, and prohibition of discrimination from requiring the licensing of sound radio, television broadcasting or cinema

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<sup>148</sup> For the full text of the Framework Convention for the Protection of National Minorities, visit: <http://conventions.coe.int/Treaty/EN/Treaties/Html/157.htm> accessed on 20.12.2004.

<sup>149</sup> *Ibid.*

enterprises.<sup>150</sup> The Article 10 is about the right to use minority language in private and public places, and also, in communications with the administrative authorities and courts. The Article 11 is the brand-new freedom given to the minority members, which shows the depth and the importance of the Framework Convention on the minority protection:

*The Parties undertake to recognize that every person belonging to a national minority has the right to use his or her surname (patronym) and first names in the minority language ... every person belonging to a national minority has the right to display in his or her minority language signs, inscriptions and other information ... in areas traditionally inhabited by substantial numbers of persons belonging to a national minority ,the Parties shall endeavor, in the framework of their legal system, including where appropriate, agreements with other States, and taking into account their specific conditions, to display traditional local names, street names and topographical indications intended for the public also in the minority language when there is a sufficient demand for such indications.*<sup>151</sup>

The Articles 12 and 13 recognize the right of minority groups to set up and manage their own private educational and training establishments without financial obligations of states, and the right to learn their culture, history, language and religion. ‘The preparation of favorable conditions for the effective participation of the persons belonging to national minorities in cultural, social and economic life and public affairs’ is pointed out in the Article 15. The Article 16 is another new protection for minority groups which bans the measures that would alter the demographical proportions of a region inhabited by minorities against their numerical advantage. The Article 17 grants the rights to establish and maintain free and peaceful contacts across frontiers, and to participate in the activities of non-governmental organizations.<sup>152</sup>

On the other hand, the Section III of the Framework Convention (Articles 20-23) arranges the principles that minority groups have to respect which shows and tries to alleviate the fears of states about their sovereignty and territorial integration

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<sup>150</sup> *Ibid.*

<sup>151</sup> *Ibid.*

<sup>152</sup> *Ibid.*

while granting these broad freedoms to minorities. Briefly, Articles 20-21-22-23 point out that the persons belonging to minorities shall respect the national legislation and the rights of majority, and minorities shall not engage in any act contrary to the fundamental principles of the international law, sovereign equality, territorial integrity and political independence of states.<sup>153</sup>

In the Section IV of the Framework Convention, the Committee of Ministers of the Council of Europe is assigned to monitor the implementation of this Framework Convention by the Contracting Parties, and after the entry into force of this Convention, the Contracting Parties shall transmit full information on the legislative and other measures taken to give effect to the principles set out in the Framework Convention, and also the periodical reports about the implementation of this Convention. In addition, to evaluate the adequacy of the measures taken by the Parties, an ‘advisory committee’ is set up that would monitor the implementation of the Framework Convention.<sup>154</sup>

After the opening of the Framework Convention to signature in 1995, it entered into force in 1998. In less than five years, 34 of the 44 members of the Council of Europe ratified the Convention; however, several ratifying states put reservations to several provisions; Belgium, France, Luxemburg, Netherlands, Greece (signed but not ratified) and Turkey (neither signed nor ratified) have not ratified the Convention, and some of the states ratified the Convention; yet, have not implemented it properly.<sup>155</sup> The reluctance of the states to ratify the Framework Convention is caused by the considerations of the governments about their security and territorial integrity and the examples of separatist minority movements around the world observed after the 1990s. There are also reservations of minority groups about the weaknesses of the Framework Convention. First of all, it lacks the definition of a minority group, and secondly, some of the provisions of the

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<sup>153</sup> *Ibid.*

<sup>154</sup> Andreevska, *op. cit.*, p.101.

<sup>155</sup> Alan Philips, “The Framework Convention for the Protection of National Minorities: A Policy Analysis”, *Minority Rights Group International*, 2002, p.4. The full text of the document is available at: [www.minorityrights.org](http://www.minorityrights.org) accessed on 20.12.2004.

Convention are worded with general or vague terms such as ‘where appropriate’, ‘as far as possible’ and ‘substantial numbers’ which gives states the flexibility to convert it according to their interests.<sup>156</sup> Moreover, same as the previous declarations, the Framework Convention also uses the term ‘persons belonging to minority groups’ which signifies the stress on the individuality of minority rights instead of their collectivity. Nevertheless, as noted before and stated in the UN Pamphlet:

*The Framework Convention is the first and the only legally binding multilateral instrument devoted totally to the protection of minorities and is regarded as the most comprehensive international standard in the field of minority rights so far that transforms the political commitments of the 1990 Copenhagen Document of the CSCE and the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities of the UN into legal obligations.*<sup>157</sup>

The fourth multinational institution, which is committed to promote human as well as minority rights, is the European Union. Established after the WWII as an economic cooperation mechanism, the EU had not dealt with the minority protection issue during the Cold War. After the end of Cold War, the EU has become a political as well as an economic organization, after which committed to promote democracy, rule of law and human rights without any discrimination. However, instead of the mounting interest in the EU on the issue of minority rights, the EU has not devised any legally binding instruments for minority protection until today, and it has an ‘agnostic’ attitude towards the minority rights issue.<sup>158</sup> The absence of the EU declaration or law on national minorities could be explained by the reluctance of its member states that are creators of the nationalism and nation-state philosophy in which there is neither place for the minority groups nor extensive rights for their protection. Thus, the Cold War

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<sup>156</sup> Pamphlet No.8 of the UN Guide for Minorities, “The Council of Europe’s Framework Convention for the Protection of National Minorities”, visit at: [www.unhcr.ch/html/racism/minorpam8.doc](http://www.unhcr.ch/html/racism/minorpam8.doc) accessed on 20.12.2004.

<sup>157</sup> *Ibid.*

<sup>158</sup> Boris Tsilevich, “EU Enlargement and the Protection of National Minorities: Opportunities, Myths and Prospects”, online at: <http://www.eumap.org/journal/features/2001/oct/euenlarge> accessed on 20.12.2004.

period attitudes of the EU members towards minority groups demonstrated a continuous trend in the beginning of the post-Cold-War period.

Nonetheless, the European Parliament adopted several non-binding resolutions on minority protection without any practical effect. In 1981, the Parliament adopted the Resolution on ‘Community Charter of Regional Languages and Cultures and Charter of Rights of Ethnic Minorities which calls for promotion of the instruction in regional languages and culture, and allowance of individuals to use their own language in the field of public life; in 1983, Parliament adopted the ‘Resolution on Measures in Favor of Linguistic and Cultural Minorities’; in 1987, the ‘Resolution on the Languages and Cultures of the Regional and Ethnic Minorities in the European Community’; and in 1994, the ‘Resolution on Linguistic Minorities in the European Community’ which demand the establishment of basic conditions for the preservation and development of these languages.<sup>159</sup> In addition, the Treaties of Amsterdam and Maastricht focused on the non-discrimination and equality principles and required respect for human rights and diversity of cultures.

When the accession of new states to the EU is considered, the EU minority policy is far stricter than the minority policy applied to the old member states. The criteria for accession determined in Copenhagen (1993) specifically highlights the protection of minorities: “*Membership requires that the candidate country has achieved stability of institutions guaranteeing democracy, the rule of law, human rights and the respect for and protection of minorities*”, and in the Parliament Resolutions of ‘Human Rights in the World in 1997 and 1998 and 2000’, the Parliament requires the respect for minorities as one of the basic criteria for accession.<sup>160</sup> Indeed, the lack of laws organizing the norms and standards of the

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<sup>159</sup> Gabriel Toggenburg, “A Rough Orientation Through a Delicate Relationship: The European Union’s Endeavors for its Minorities”, *European Integration Online Papers (EIOP)*, Vol.4, No.16, 2000, pp.4-6. Online at: <http://eiop.or.at/eiop/texte/2000-016.htm> accessed on 20.12.2004.

<sup>160</sup> Pamphlet No.14 of the UN Guide for Minorities, “The European Union: Human Rights and the Fight Against Discrimination”, visit at: <http://www.unchr.ch/html/menu6/2/minorities/pam14.doc> accessed on 20.12.2004.

minority protection inside the EU morally weakens the position of the EU towards candidate countries.

The steps towards the European Union Law on minority rights gained momentum towards the end of 1990s and the beginning of 2000s. For instance on May 8, 2001, the European Commission adopted a communication on ‘Combating racism and xenophobia, and discrimination against minorities’, the PHARE program for the promotion of the minority protection in the candidate states of the Central and Eastern Europe began to be applied in 1999, and a package of new anti-discrimination measures was adopted in 2000 which included ‘a directive on equal treatment irrespective of racial or ethnic origin’ that have to be implemented in the national laws of the EU member states by 19 July 2003.<sup>161</sup>

Hence, the recent developments in the EU enumerated above show that the minority protection issue has an increasing importance for the Union. In addition, the enlargement of the EU by the accession of Central and East European states added new minorities and minority-related problems inside the Union which would accelerate the process of internalization of the EU-wide minority protection laws and standards. As Tsillevich quotes: “*The EU will find it hard to maintain its agnostic stance on minority rights vis-à-vis its members. Sooner or later two factors – growing migration and diversity within the EU, and enlargement to the East – will render inevitable the elaboration of a more concrete Union framework on minority rights.*”<sup>162</sup>

To summarize the minority protection system after the Cold War, the collapse of Eastern bloc and the rise of ethnic nationalism led to the re-emergence of the minority problems in the international arena. With the influence of rising nationalist sentiments, majority and minority groups engulfed in social tensions, ethnic conflicts and violence. The violence at the heart of the Europe, Caucasus and Africa placed minority rights on the agenda of the international community,

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<sup>161</sup> *Ibid.*

<sup>162</sup> Tsilevich, *op. cit.*, p.8.

and the international organizations, as Pentassuglia argues, “*began to search for constructive responses based on paramount humanitarian and stability concerns*”.<sup>163</sup> Both for conflict prevention (maintenance of stability) and humanitarian concerns, the international organizations adopted several Covenants totally devoted for the issue of minority protection. When compared with the Cold War period in which even the term ‘minority’ was non-existent except one or two covenants, the employment of the term ‘minority’ in the Covenants adopted after the Cold War could be considered as a serious advance on minority protection. The second important development on the minority question in the after-Cold-War period is the internationalization of minority rights that means states no longer can defend themselves arguing that the minority treatment is a matter of domestic politics. The international community had the right to deal with the minority issues in states, which is clearly stated in the Framework Convention of the Council of Europe. Another difference is the recognition of the collective rights of minority groups in spite of some limitations on these rights, and the explanation of the rights of minorities and the obligations of states towards minority groups in a broad, comprehensive fashion. Nevertheless, in all Declarations the borders of the minority rights are limited with the territorial integrity and national sovereignty of states, and the vagueness in some articles of Declarations left the states a wide field to interpret and transform these obligations in accordance with their interests.

In short, since the moment that the first political organization was established in history, the competition between majority and minority groups has been enduring. The history of minority protection has begun in Western Europe with the granting of religious freedom by the kings in the middle ages and especially after the Westphalia Agreement. After the Vienna Congress in 1815, with the rise of nationalism, the ethnicity gained importance, and ethno-national minorities living under the authority of huge empires revolted to win their independence, and thus, the notion of minority protection enlarged to include the whole Europe. However,

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<sup>163</sup> Geatano Pentassuglia, “The EU and the Protection of Minorities: The Case of Eastern Europe”, *EJIL*, Vol.12, No.1, 2001, p.4.

until the end of World War I, minority protection was used as a tool of the Balance of Power policy between the Great Powers whom imposed minority provisions to the weaker states. The minority protection was neither a subject of the international law, nor a mechanism was established to implement the application of minority provisions.

At the end of WWI, minority protection was taken under the guarantee of international law and the international mechanism for its implementation called the 'League of Nations'. However, the effects of balance of power policy persisted, and the minority protection obligations were levied on only the defeated and newly-established states which led to the unjust application of the minority protection system and prepared its end. The beginning of Cold War after the WWII denoted the onset of the new era on minority protection. During the Cold War, the minority rights were included inside the human rights system which focused on universal equality and non-discrimination applicable to all individuals, and neglected the positive rights of minority groups. This neglect was finished at the end of Cold War due to the violent ethnic conflicts between majority and minority groups and the systemic changes towards liberalism and democracy. In the after-Cold-War period, the sensitivity of international community increased and the international organizations adopted several covenants on minority protection. In addition to the negative rights, the positive rights of minority groups began to be mentioned, yet still with limitations. There are still two different limitations. Firstly, the minority rights are still defined as individual rights by the states; nonetheless, the minority groups advocate the collectivity of their rights. Secondly, the core Europe have not internalized the minority rights yet, which means the states in the core Europe do not apply these rights; however, they compel the periphery Europe to practice these rights as a political condition which shows the importance of power since the Westphalia Agreement to recent years in affecting the minority rights system, and creates moral and normative dilemma on the issue of minority protection. Instead, today legally binding and all-inclusive international covenants and monitoring mechanisms devised for minority

protection by the UN, the Council of Europe, the OSCE and partly the EU have been increasing the consciousness of states about the importance of minority protection for the preservation of stability and peaceful-coexistence.

Greece is one of these states which have faced the minority question since the day of its establishment. It is also one of the states that have been unwilling to grant extensive rights for minority groups. In the next chapter the minority policies of Greece, the shifts and continuities of this policy until 1990s will be analyzed.

## CHAPTER 4

# THE GREEK MINORITY POLICY IN WESTERN THRACE: POLICIES UNTIL 1990

Since the day of its establishment, the Modern Greek state has been following the ideology of a ‘single and homogeneous nation’ and single religion and language, and as shown below, the strategy taken up by the Greek governments from 1821 to 1923 suggests that the Greek governments denied the existence of Turks, Bulgarians and Macedonians in Greece. The ‘Greekness’ was based on the ancient glorious past of the Hellenic times, and the basic objective of the Greek State was set to achieve the ‘Megal-i Idea’ which targeted to liberate the regions in which the Greek-speaking Christian Orthodox populations inhabited. Thus, inside the borders of the ‘Great Greece’ which would include ‘five seas (Black Sea, Marmara Sea, Aegean Sea, Sea of Crete and Ionian Sea) and two continents’, only the Greek populations whose characteristics (ethnicity, historical roots, religion and language) were pre-defined by the Modern Greek State were supposed to inhabit. The other nationalities living inside the borders of imagined ‘Great Greek State’ were viewed as an obstacle against the realization of national unity and homogeneity.<sup>164</sup> This nationalist and ethnic-based ideology of Greek state entailed the lack of civic citizenship in Greece, and the citizenship has not been organized

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<sup>164</sup> Anna Triandafyllidou and Anna Paraskevopoulou, “When is the Grek Nation? The Role of Enemies and Minorities”, *Geopolitics*, Vol.7, No.2, (Autumn 2002), p.79.

according to the democratic and liberal values, but mostly on the ethnical base which led to the exclusivist and ethnocentric minority policies of Greece.

The Muslims were the largest group who did not belong to the defined membership of the Greek nation which required ethnic-Greekness, Christian-Orthodox religion, Greek language and devotion to the Hellenic history of the ancient Greece. Hence, the Greek nation regarded the Muslim groups as ‘the Others’ who should be excluded or eliminated from the imagined borders of Great Greece by means of compulsory assimilation or expulsion to complete the formation of the Greek state and nation. On the other hand, cultural stereotypes has been formed by the Greek intelligentsia against Muslims and the other minority groups left in the borders of the Greek state such as Vlachos, Macedonians, Albanians and Jews. These stereotypes were used to strengthen the national feelings of the ethnic-Greeks and increase the negative pressure on the minority groups to facilitate their assimilation or expulsion. For instance, Ulf Brunnbauer argues:

*In Greek folklore, the ‘Klepthes’, and in Bulgarian the ‘Hajduti’ – both a mixture of brigands and insurgents against Ottoman rule, mostly the former – became one of the most praised of heroes. Other popular folk themes dealt, for example, with Christian girls enslaved by Ottoman Turks, with the Ottoman practice of devshirme, or with ‘forced’ conversion to Islam of large Christian populations, like the Pomaks. Simply, all kinds of misfortunes are due to the Turks.*<sup>165</sup>

Second basic characteristic of the Greek state affecting its minority policy is the insecurity feeling. In the 19<sup>th</sup> century, most of the national minorities in the Balkans revolted against the Ottoman Empire and won their independence. The Greeks were the first minority to become independent and Serbians, Montenegrins, Romanians, Bulgarians and Albanians followed. After their foundation, all of these small states targeted the remaining territories of the Ottoman Empire in the Balkans to extend their borders for establishing Greater Greece, Bulgaria, Serbia and so on. Thus, after driving out the Ottoman forces from the Balkans by the

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<sup>165</sup> Ulf Brunnbauer, “The Perception of Muslims in Bulgaria and Greece: Between the ‘Self’ and the ‘Other’”, *Journal of Muslim Minority Affairs*, Vol.21, No.1, 2001, p.41.

Balkan Wars, these newly established states began to compete with each other to acquire the largest share left from the Ottoman Empire. Greece, established as a small state in Peloponnesian Peninsula, almost doubled its territory and population including substantial numbers of Slavs, Bulgarians and Turks after the Balkan Wars and comprised of the territories claimed by the Serbians and Bulgarians.<sup>166</sup> At the end of the WWI, the acquiring of Western Thrace and the attack of Greek forces in Asia Minor also caused a war between Turkey and Greece. The rivalry of states in the Balkans went on after the WWI and WWII. There are still several problems disturbing the Greek-Turkish and Greek-Bulgarian relations. Due to the competition between states in the region and their historical conflicts, Greek state has not been feeling itself secure in the region. Thus, Greece like the other states in the Balkans became increasingly sensitive over the issues of territorial integrity and national sovereignty.<sup>167</sup> For instance, it has been organizing its defense plans by defining its neighbors, as ‘threat’ to Greek national borders. As a result of the insecurity feeling, the Greek state had generally approached its minority groups with great suspicion. Minority groups have been regarded as the collaborators of their kin-states to disturb the unity of Greek state or secessionist groups to separate from Greece. For instance, during the WWII, the Bulgarian minority group living in Western Thrace assisted to the Bulgarian forces occupying the region which heightened the security doubts of Greek governments.

Due to these basic characteristics, the Greek state even denied the existence of minority groups inhabited in Greece, and today still does not recognize the existence of minority groups except one. The ‘Muslim’ minority living in Western Thrace is the only minority group which is recognized by the Greek government under the provisions of an international agreement signed after the defeat in Asia Minor. The minority rights have never mentioned in the Greek Constitution, and

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<sup>166</sup> Richard Clogg, *A Short History of Modern Greece*, (Cambridge: Cambridge University Press, 1986), pp.103-104.

<sup>167</sup> Georgios Niarchos, “Continuity and Change in the Minority Policies of Greece and Turkey”: <http://www.lse.ac.uk/collections/hellenicObservatory/pdf/symposiumPapersonline/Niarchos.pdf>, accessed on 08.12.2003, p.4.

several exclusivist and ethnocentric laws were enacted by Greek governments which had discriminated and destroyed the rights of minority groups such as the Article 19 of the Greek Citizenship Law. In this chapter, Greek policies regarding the minority groups will be examined starting with the establishment of the Modern Greek State in 1830, and in all the periods of the modern Greek history until 1990s, the philosophy and the elements of the Greek nation-building process (especially ethnocentrism) and the insecurity feeling have affected the minority policies of Greek governments deeply to become exclusivist, assimilationist and even in some cases expulsionist.

#### **4.1 From London Protocol to Lausanne Agreement**

Greeks were ruled by the Ottoman Empire from XV to XIX century. The Ottoman Empire was a multi-religious state, and thus, minority groups ruled by the Empire were classified into different religious groups, which was the basic characteristic of the Westphalian system of minority protection. The system of religious grouping in the Ottoman Empire was called ‘millet system’ in which Greeks were the members of ‘Orthodox millet’. The head of Orthodox millet was the Patriarch of Istanbul, and Patriarch had the authority to administer the religious, educational and social affairs of his millet. Furthermore, every millet had the right to establish and maintain its own educational, religious and judicial institutions. Hence, Greeks, as one of the religious minority groups in the Ottoman Empire, enjoyed very broad minority rights of the era that enabled them to protect their identity and cultural characteristics.

Nevertheless, with the rise of nationalism after the French Revolution, ethnic minority groups living under the authority of multi-ethnic empires began to revolt for gaining their independence and establishing their own states.<sup>168</sup> The Greek revolt for independence started at the beginning of 1820s and by the assistance of Great Powers such as Britain, France and Russia, Greeks managed to establish

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<sup>168</sup> Talip Küçükcan, “Re-claiming Identity: Ethnicity, Religion and Politics among Turkish-Muslims in Bulgaria and Greece”, *Journal of Muslim Minority Affairs*, Vol.19, No.1, 1999, p.52.

their own independent state after the signing of London Protocol in 1830. Thus, Greeks, who were a religious minority under the rule of Ottoman Empire, had become the majority in the small Greek state established in Peloponnesian Peninsula. However, as a weak and small state dependent on the assistance of Great Powers, Greece had to accept minority protection provisions of the London Protocol imposed by the Great Powers (characteristic of the system of minority protection after the Vienna Agreement).

According to the minority provisions of the London Protocol, Muslims living in the New Greek State, who had become the members of the Muslim minority, acquired numerous rights guaranteed by the Great Powers. The Article 5 of the London Protocol, signed in 1830, stated that the Muslim minority would not be deprived of their property, and without regard to difference of creed, all citizens would be equal and admissible to all public employment, functions and honors without any discrimination.<sup>169</sup> As a result, the Greek State faced the imposition of minority rights as a condition for its establishment, and the New Greek State regarded these provisions of the London Protocol as a threat to its hard-won sovereignty and independence. For this reason, the Greek State began to follow the policy of assimilation and expulsion to consolidate the unity of the New Greek State and to prevent the Great Powers to interfere with the domestic politics of Greece using minority groups as a pretext.

The second agreement, in which the Great Powers imposed minority protection clauses to Kingdom of Greece, was Istanbul Agreement signed in 1881. After the defeat of the Ottoman Empire in 1877-78 Russo-Ottoman War, the Great Powers promised a border re-arrangement to Greece during the Berlin Agreement (1878). By Istanbul Agreement, the Great Powers granted Thessaly to Greece as promised in Berlin; however, obliged Greece to provide minority rights to the Muslim population living in the borders of Greek Kingdom. In the Article 3 of Istanbul Agreement, Greece guaranteed to protect the life, property, honor, religion and

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<sup>169</sup> The text of the London Protocol (1830): [www.mfa.gr/greek/the\\_ministry/eny/1830\\_london\\_protocol.doc](http://www.mfa.gr/greek/the_ministry/eny/1830_london_protocol.doc) accessed on 20.01.2005.

traditions of Muslims and their equal individual and political rights with the ethnic-Greek citizens of the kingdom.<sup>170</sup> The other provisions related with the minority group put that real estates such as farms, pastures, forests and all kinds of land belonging to Muslim individuals or their vakfs, could not be voluntarily expropriated; these estates would be protected according to the Ottoman land records, and no Muslim could be forced to sell his estate to anyone of Greek origin.<sup>171</sup> The Article 8 of the Istanbul Agreement guaranteed the religious and cultural rights of the Muslim minority and provided individual and political rights the same as the ethnic-Greek citizens.<sup>172</sup> The Istanbul Agreement was the second agreement in which the Great Powers imposed extensive minority rights to the Muslim minority in Greece. After the Istanbul Agreement, Greek governments maintained their policy of exclusion, assimilation and expulsion by neglecting provisions of the agreement because of its goal to maintain ethnic and religious homogeneity and national security.

The third agreement that obliged the Kingdom of Greece to endow minority rights to the Muslim population was the Athens Agreement (1913) which enlarged the scope of rights given in the London and Istanbul Agreements. The Article 2 of the Athens Agreement confirms the rights granted and the validity of previous agreements about minority rights, and stresses the applicability of the minority protection in whole parts of Greece.<sup>173</sup> In fact, the Articles 11, 12 and the Protocol No.3 brought new rights and organizational provisions for the Muslim minority inside the borders of the Greek State which doubled its territory by including Southern Macedonia towards the western borders of Western Thrace after the Balkan Wars. According to the Articles 11, 12 and Protocol No.3, the Muslim minority in Greece has the right to choose its own religious leader who is called ‘mufti’, and muftis would nominate three candidates, one of who would be

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<sup>170</sup> Baskın Oran, *Türk-Yunan İlişkilerinde Batı Trakya Sorunu*, (Ankara: Bilgi Yayınevi, 1991), pp.59-61.

<sup>171</sup> *Ibid.*

<sup>172</sup> *Ibid.*

<sup>173</sup> *Ibid.*, p.62.

appointed 'basmufti' by the King of Greece. The muftis would also have authority in the administration of vakfs and marriage affairs of the Muslim population. On the other hand, the vakfs and their income would be administered by the Muslim community, and the Muslim minority could establish its own minority schools.<sup>174</sup>

Throughout the signature of these three Agreements, (London, Istanbul and Athens) the borders of Greek State had not included the region of Western Thrace. Western Thrace was under the occupation of Bulgaria after the Balkan Wars and of the Allied forces during the WWI. In 1920, the region was surrendered to Greece as a war reward. Thus, during the Lausanne negotiations, Greek government argued that the agreements signed before could not be applied to minority groups in Western Thrace because the region was out of the borders of Greece, and hence, claimed that these agreements were null and void.

After the World War I, in 1920, Kingdom of Greece acquired Western Thrace into its borders as a reward; nevertheless, as noted in Chapter 3, Greece was forced to sign another minority rights treaty by the Great Powers which would be under the guarantee of League of Nations. As a result, Greece and the Allied Powers signed the Treaty of Sevres on August 10, 1920, that was the first agreement of Greece during which Western Thrace was a part of its territory. In fact, the Allied Powers eliminated the questions around the validity and scope of the Treaty of Sevres by adding the provision, "*Kingdom of Greece ... confirming these rights and of extending them to the populations of the territories **which may be added to the Kingdom...***" to the first paragraph of the Treaty.<sup>175</sup> Hence, the Treaty of Sevres is valid not only for Western Thrace, but also for the territories to be added to the Kingdom such as Rhodes and Twelve islands annexed in 1947. Furthermore, Agreements of London (1830), Istanbul (1881) and Athens (1913) targeted only a specific minority group which was Muslims; whereas, the Treaty of Sevres

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<sup>174</sup> *Ibid.*, p.64.

<sup>175</sup> Official Documents, "Treaty between the Principal Allied and Associated Powers and Greece", *The American Journal of International Law*, Vol.15, No.2, April 1921, p.161. (Full text of the Sevres Treaty)

includes all minority groups inhabited in the Greek territory without any distinction which is mentioned as: “*Kingdom of Greece, which has given to **the populations included in its territories**, without distinction of origin, language or religion, equality of rights...*”<sup>176</sup>

The Article 1 of the Sevres Treaty declares the superiority of provisions of the Treaty over Greek law, and no law, regulation or official action can prevail or conflict with the stipulations of the Treaty. The Article 2 accentuates the equality principle of all Greek citizens: “*Greece undertakes to assure full and complete protection of life and liberty to all inhabitants of Greece without distinction of birth, nationality language race or religion.*”<sup>177</sup> In the Article 3, Greece declares everyone who was habitually resident at the date of this Treaty to be Greek nationals without any formality. Thus, the minority groups inhabited in Western Thrace became Greek citizens with the Article 3. The Article 7 is another provision that emphasizes equality:

*Differences of religion, creed or confession shall not prejudice any Greek 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 restriction shall be imposed on the free use by any Greek national of any language in private intercourse, in commerce, in religion, in the press or in publications of any kind or at public meeting.*<sup>178</sup>

Until the Article 8, the Treaty enumerates the ‘negative rights’ of minority groups. With the Article 8, the ‘positive rights’ started to be noted. The Articles 8 and 9 enable the establishment of charitable, religious and social institutions, schools and other educational establishments with the right to use their own language as a medium of communication and instruction, and equitable sharing of the municipal

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<sup>176</sup> *Ibid.*

<sup>177</sup> *Ibid.*, p.163.

<sup>178</sup> *Ibid.*, p.164.

funds by minority institutions.<sup>179</sup> Finally, the Article 14 is devoted to the Muslim minority in Greece that deals with the Muslim vakfs:

*Greece agrees to take all necessary measures in relation to Moslems to enable questions of family law and personal statues to be regulated in accordance with Moslem usage. Greece undertakes to afford protection to the mosques, cemeteries and other Moslem religious establishments. Full recognition and all facilities shall be assured to pious foundations (vakfs) and Moslem religious and charitable establishments now existing, and Greece shall not refuse to the creation of new religious and charitable establishments any of the necessary facilities guaranteed to other private establishments of this nature.*<sup>180</sup>

In brief, the Treaty of Sevres is one of the minority treaties signed after the WWI between the Allied Powers and Greece which extended minority rights in Greece to all minority groups and all regions of the Greek State including Western Thrace. Moreover, the Sevres Treaty is a unilateral agreement that includes promises of the Greek government towards its minority groups, not reciprocal with any other state. The treaty, also, extended the scope of minority rights from negative rights of equality to special positive rights of minority groups such as the establishment of minority schools and social institutions. Fearing from these broad privileges granted to minority groups unilaterally, the Greek government argued that after the signing of Lausanne Agreement, the Treaty of Sevres is no more valid. On the contrary, the Turkish minority advocated that not any statements are present in the Lausanne Agreement that nullified the Treaty of Sevres, and it is still valid and applicable.<sup>181</sup> Nevertheless, the validity of Treaty of Sevres after the signing of Lausanne Agreement has still been debated. The Turkish side represented by the Ottoman delegate signed the Treaty, but it was not ratified by the Ottoman Parliament or Turkish National Assembly which strengthens the Greek argument on the invalidity of the Treaty.

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<sup>179</sup> Harry J. Psomiades, *The Eastern Question: The Last Phase*, (New York: Pella Publishing, 2000), p.64.

<sup>180</sup> *Ibid.*, p.166.

<sup>181</sup> Oran, *Türk-Yunan İlişkilerinde Batı Trakya Sorunu*, *op. cit.*, p.105.

In spite of these agreements for the protection of minority groups, Greek governments continued their policy of homogenization and minimizing the percent of minority groups as much as possible by exclusion, forced assimilation or expulsion (especially during the wartimes) to remove the rationale behind the minority provisions. Indeed, Greece was the most successful state in the Balkans to reduce the number of persons belonging to minority groups drastically. As Ulf Brunnbauer points out:

*During the Greek revolution against Ottoman rule between 1821 and 1830 an estimated 25,000 Muslims were killed... In particular the Balkan Wars of 1912-1913 witnessed 'ethnic cleansings' resulting in a huge drain of Muslim lives. In 1911 Muslims formed the majority of what then had remained of Ottoman Empire. Without the territory of subsequent Albania, 2.3 million Muslims lived in the areas occupied by Greece, Bulgaria and Serbia in 1912/13. Ten years later, only 870,114 of them remained, while 62% had left or had been killed. Greece was most successful in expelling Muslims from the areas it had occupied: of almost 750,000 Muslims who had been living in Aegean Macedonia in 1911, only 124,460 remained in 1923.<sup>182</sup>*

The only agreement signed between Turkey, Greece and other Allied Powers is the Lausanne Agreement signed in 1923. The Lausanne Agreement is also, the only minority agreement whose validity is approved by the Greek government and thus, has been guiding both Greece and Turkey on their minority policies after 1923. The Greek government preferred to accept the existence of minority provisions of the Lausanne Agreement, and declared the Treaty of Sevres as null and void because the Lausanne Agreement grants reciprocal and limited rights to a 'certain minority' compared with the unilateral and extensive rights of the Treaty of Sevres. The Lausanne Agreement includes provisions for the protection of only specific minorities in Greece and Turkey: the Muslim minority in Western Thrace and the Greek minority in Istanbul. Moreover, the stipulations about these minorities are reciprocal for Turkey and Greece that means, all the rights granted to the Greeks in Istanbul are granted to the Muslim minority in Western Thrace.

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<sup>182</sup> Brunnbauer, *op. cit.*, p.42.

The Lausanne Agreement has two different aspects related with minority groups:

- 1) The Convention Concerning the Exchange of Greek and Turkish Populations signed on January 30, 1923
- 2) The Section III of the Lausanne Agreement (Articles 37-45) organized the protection of minority groups.

The Turkish War of Independence fought with the Greek Army had put an end to the realization of Megal-i Idea plans of the Greek government. The Greek army left Asia Minor in September 1922, and promised to evacuate Eastern Thrace in the Mudros Armistice Agreement. Therefore, the Greek government changed its irredentist policies of annexing territories to the Greek State in which Greek populations inhabit. Instead, the Greek government tried to consolidate the borders of Greek State in what was left after the drastic defeat in Asia Minor. As a result, for the national security, unity and integration in Greece, the number of minority groups had to be minimized. In addition, the Turkish government was more adamant than the Greek government to get rid of its Greek minority. Both governments had experienced external interferences in their domestic affairs and were imposed special minority provisions by the Great Powers that might jeopardize their national sovereignty.

After the Turkish War of Independence, the Greek population started to leave Turkey for Greece in significant numbers; hence, the Greek premier Eleftherios Venizelos proposed an immediate implementation of a compulsory exchange of populations between Turkey and Greece before the Christian element was completely evacuated from the Turkish territory.<sup>183</sup> Consequently, on January 30, 1923, the Convention Concerning the Exchange of Greek and Turkish Populations was signed. The Article 1 of the Exchange Convention stated that:

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<sup>183</sup> Kalliopi K. Koufa and Constantinos Svolopoulos, *The Compulsory Exchange of Populations Between Greece and Turkey: the Settlement of Minority Questions at the Conference of Lausanne, 1923, and its Impact on Grek-Turkish Relations*, Ethnic Groups in International Relations ed. by Paul Smith (Dartmouth: European Science Foundation, 1991), p.5.

*As from 1 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.*<sup>184</sup>

However, the Article 2 explains exceptions to the compulsory exchange agreement which entailed the existence of Turkish minority in Western Thrace:

*a) the Greek inhabitants of Constantinople and b) the Muslim inhabitants of Western Thrace. All Greeks who were already established before 30 October 1918, within 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 Moslems established in the region to the east of the frontier line laid down in 1913 by the Treaty of Bucharest (Western Thrace) shall be considered as Moslem inhabitants of Western Thrace.*<sup>185</sup>

Thus, the Muslim-Turkish minority in Western Thrace and the Orthodox-Greek minority in Istanbul were exempted from the population exchange. After, the Convention of Population Exchange came into force, around 400.000 Muslim-Turks living in Greece and 1.200.000 Orthodox-Greeks living in Turkey (20% of Greece's population) were uprooted and migrated to Turkey and Greece respectively, which caused deep economic and social problems in both countries.

The compulsory exchange of minority groups is a clear reflection of both Greece and the New Turkish State's aspiration to get rid of minority groups and free from the creation of national security problems related with minority groups such as interference to domestic affairs by the Great Powers or minorities turning into tools of subversive or separatist movements or their kin-states. In addition, the exchange convention soured the Turkish-Greek relations until 1930 because of differences in interpretation of the 'etabli' minority groups who are exempted from the compulsory exchange. On the other hand, because of the exchange of minority groups, no Muslim minority left in Greece except Western Thrace and no

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<sup>184</sup> *Ibid.*, p.288.

<sup>185</sup> *Ibid.*, p.290.

Orthodox minority left in Turkey except Istanbul that means no causes left for the irredentist policies of Greece in Turkey. As a result, the Convention helped to lessen future conflicts over the minorities, stabilize the political boundaries between the two countries, and develop close bilateral relations between Turkey and Greece after 1930.<sup>186</sup> Finally, the Greek Government violated the provisions of the Convention and resettled most of the Greek migrants to Western Thrace. As Koufa and Svolopoulos admits: “*Indeed, Greece violated the above provision of Article 16 due to her difficulty in resettling the Greek refugees from eastern Thrace, who occupied the land and property of many Muslims not liable for exchange in Western Thrace.*”<sup>187</sup> The main incentive behind the Greek policy of resettling Greek migrants to Western Thrace was to change the demographic structure of Western Thrace in which the Turkish-Muslim minority had formed 67% of the total population.<sup>188</sup>

After long debates, the Lausanne Agreement was signed on July 24, 1923 between the Allied Powers, Greece and Turkey. By the Lausanne Agreement, the status and the rights of the Muslim minority remained in Greece (Western Thrace) and Orthodox minority remained in Turkey (Istanbul) were determined in Section III. The Article 37 states that provisions of the Lausanne Treaty are subject to general principles of international law which is superior to any domestic law, and no domestic law or regulation in Turkey and Greece can conflict with the stipulations of the Lausanne Agreement.

The Article 38 regulates the principle of non-discrimination and equality, freedom of religion, and in the second paragraph the Parties agreed on full freedom of movement and of emigration on the whole or part of the territory:

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<sup>186</sup> Psomiades, *op. cit.*, p.53.

<sup>187</sup> *Ibid.*, p.293.

<sup>188</sup> A Helsinki Watch Report, “Destroying Ethnic Identity: The Turks of Greece”, August 1990. In 1923, before the Compulsory Exchange, the population of Western Thrace was 191.699, of whom 129.120 (67 percent) were Turks and 33.910 (18 percent) were Greeks; the remaining 28.669 were mostly Bulgarians.

**Article 38:** *The Turkish (and Greek) 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 in private, of any creed, religion or belief, the observance of which shall not be incompatible with public order and good morals...*<sup>189</sup>

The Article 39 recognizes the civil and political rights of minorities such as equality in admission to public employments or exercise of professions and industries, and free use of minority language in private intercourse, in commerce, religion, in the press, or in publications of any kind. With the Articles 40 and 41 of Lausanne Agreement, the positive rights of minority groups began to be enumerated such as the establishment of institutions particularly for the use of minority groups:

**Article 40:** *Turkish nationals belonging to non-Moslem 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-Moslem 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... In towns and districts, where there is a considerable proportion of Turkish nationals belonging to non-Moslem 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...*<sup>190</sup>

The Article 42 states the civil rights of minorities and the settlement of the problems about these civil rights according to the minority customs, and the full protection of sacred places and religious institutions of the minority population:

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<sup>189</sup> Treaty of Peace with Turkey Signed at Lausanne, July 24, 1923, The Treaties of Peace 1919-1923, Vol.II, *Carneige Endowment for International Peace*, New York, 1924, p.10.

<sup>190</sup> *Ibid.*, p.11.

*Article 42: The Turkish government undertakes to take, as regards non-Moslem 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... 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.*<sup>191</sup>

The Article 43 bans the compelling of any minority members to perform any act against their faith and to work in their weekly day of rest. The Article 44 places the rights of minority groups mentioned in this Agreement under the guarantee of League of Nations and in case of any conflict on the provisions of the Agreement, the issue would be referred to the Permanent Court of International Justice.<sup>192</sup> The last provision on minority protection, the Article 45, states the reciprocity principle of the Agreement: “*Article 45: The right 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.*”<sup>193</sup>

By the signing of Lausanne, the Greek state recognized the existence of the ‘Muslim’ minority in Western Thrace which is the only officially recognized minority group in Greece. However, both Turkey and Greece preferred the religious denomination of minority groups remained in both countries because both states feared from the threatening of their national unity by ethnically motivated minority groups. By religious identification of the minority groups in the Lausanne Agreement, Greece averted the claims of ethnic minorities for self-determination which was suggested among the Wilsonian Principles. In addition, the Greek government, by the religious definition, denied the existence of Turks, Bulgarians, Macedonians and other ethnic minority groups in Greece, and thus,

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<sup>191</sup> *Ibid.*

<sup>192</sup> Yılmaz Türel, *Batı Trakya Türkleri: 1878-1990*, (Ankara: Gazi University, 1991), p.65.

<sup>193</sup> Treaty of Peace with Turkey Signed at Lausanne, p.12.

had the chance to present Greece as an ethnically homogenous state and consolidate the unity of its territory. The history of Western Thrace region also reminded the Greek State of the strong affiliations of the neighboring states to the region.<sup>194</sup> For instance, during the last meeting of the Ottoman Parliament, the Parliament agreed on a document called ‘Turkish National Pact’ in which deputies declared the policy for the future of the Turkish State. In the Turkish National Pact, Western Thrace is included in the territories that must be acquired in the borders of the Turkish State by means of a plebiscite. On the other hand, Western Thrace region was the only outlet of the Bulgarian State to the Mediterranean Sea which was occupied during the Balkan Wars. After the defeat in WWI, the Allied powers occupied Western Thrace and surrendered to Greece, and hence, Bulgaria lost its connection to Mediterranean Sea which meant the great loss of economic and geopolitical power for the Bulgarian State. Thus, Bulgaria followed a revisionist policy after the WWI, and aimed at re-acquiring Western Thrace by the help of Bulgarian minority living in the region. Thus, by using the religious definition, Greece endeavored to prevent the ethnical identification of minority groups with their kin-states that are Turkey and Bulgaria.

The Lausanne Agreement accepted the reciprocity principle between Turkey and Greece on minority protection issues. Reciprocity means that both the Greek minority in Istanbul and the Muslim minority in Western Thrace have the same minority rights. However, the provision of ‘considerable population of minority group’ for the application of minority rights in a district created problems for both countries in the next decades. The Greek governments used the reciprocity principle to ignore several rights of the Turkish minority by arguing that the Turkish government had given up applying these rights in Turkey. Nevertheless, the Lausanne Agreement is the most important treaty signed about the fate of minorities living in Western Thrace, determined the status of minorities and affected Greek policies on the region which is still in force and valid in the new millennium.

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<sup>194</sup> Triandafyllidou and Paraskevopoulou, *op. cit.*, p.86.

## 4.2 From Hostility to Détente

In the period of 1923-1930, disagreements and problems left from the Lausanne Agreement about minority groups, especially the settlement of population exchange, were the main issue to be solved between Greece and Turkey. The basic Greek minority policy in this period was the removal of 'Muslim' minority from Greece by the compulsory exchange as much as possible, and the minimization of the density of minority groups living in Western Thrace by settling the Greek immigrants coming from Turkey to the region. Behind this policy lie three main objectives.

First of all, as noted before, after the defeat of the Greek army in Asia Minor, the great ideal of the Greek State to include all the territory on which Greek populations inhabit (Megal-i Idea) came to an end. Thus, the irredentist policies of Greek government ended after the Lausanne Agreement, and Greece began to follow the policies of preserving what was left after the Agreement and consolidating the Greek presence in the newly acquired territory such as Greek Macedonia and Western Thrace. In addition, the defeat against the Turkish State added to negative stereotypes of the Greek nation against Turks, and a strong ethno-nationalist public opinion formed including the Greek Church, intellectuals and media against any type of liberal policies that would grant wider rights to the minority groups in Western Thrace.

Secondly, the revisionist policies of Bulgaria, and the Turkish thesis during the Turkish War of Independence and Lausanne negotiations about a plebiscite in Western Thrace for the future of the region increased the Greek concerns about the future of Western Thrace.

Thirdly, after the formation of national state of Turkish Republic by the Lausanne Agreement, the Muslim minority group in Western Thrace, most of whom are ethnic-Turks, began to identify themselves as "Turkish" instead of "Muslim". The same ethnical identification with a neighboring state at the height of nationalism diminished the possibility of voluntary assimilation of minority groups in Western

Thrace; instead, boosted the security concerns of Greek government about the regions' opting for separation from the Greek State.

Another important motive behind the Greek policies on Western Thrace after the Lausanne Agreement is the bilateral relations between Turkey and Greece. When the relations grew better, the Greek government pursued a more liberal policy in Western Thrace granting rights of the minority group determined in the Lausanne Agreement, yet, when the bilateral relations turned out to be worse, Greek government followed a stricter policy denying most of the rights of the minority group. In the period of 1923-1930, relations between Turkey and Greece deteriorated several times because of the disagreement on provisions of the compulsory population exchange. In 1929, Turkey and Greece came to the brink of war, and to settle the population exchange problems, they signed three bilateral agreements on the Exchange of Populations: the Ankara Accord (1925), the Athens Accord (1926), and the Greek-Turkish Convention (1930).<sup>195</sup> By the Greek-Turkish Convention signed in 1930, all Muslims in Western Thrace and Greeks in Istanbul with the citizenship of the respective states acquired the status of "etabli", and the ownership of immovable properties of minority members who left the country without the aim of returning back transferred to the respective governments.<sup>196</sup> Hence, problems about the scope of the etabli definition and the future of abandoned minority property were settled by this Convention.

Affected by the above-mentioned factors, Greek governments of the period implemented minority policies in Western Thrace to lessen the number of minority members by forceful assimilation or forcing them to migrate. For this end, Greek government followed these strategies:

- *To describe the Minority as a heterogeneous community composed of Turks, Pomaks and Gypsies and lay the groundwork for the disintegration of the foundation of minority,*

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<sup>195</sup> Psomiades, *op. cit.*, pp.75-77.

<sup>196</sup> Türel, *op. cit.*, p.67.

- *To accept the Minority as a religious identity, thus to weaken their ethnic identity hence their ties with Turkey, and to ensure the above mentioned goal of disintegration,*
- *To hinder the economic development of the minority and hamper the social security and solidarity, with the purpose of encouraging the migration.*<sup>197</sup>

In this period, Greece started to change the demographic composition of Western Thrace where minority groups formed the majority of the population. When the figures below examined, both Greek and Turkish sources confirm that in 1923, the total population of Greeks in Western Thrace did not exceed 25% of the total population of Western Thrace compared with the 70% Turkish population.

<b>Table.1: Statistics given by Turkish Delegation to Allied States during the Lausanne Conference on the Population in Western Thrace</b>					
	<b>Turks</b>	<b>Greeks</b>	<b>Bulgarians</b>	<b>Jews</b>	<b>Armenians</b>
<b>Komotini</b>	59.967	8.834	9.997	1.007	360
<b>Alexandroupolis</b>	11.744	4.800	10.227	253	449
<b>Sofulu</b>	14.736	11.542	5.490	0	0
<b>Xanthi</b>	42.671	8.728	552	220	114
<b>Total:</b>	129.118	33.904	26.266	1.480	923
<b>Source:</b> Lozan Barış Konferansı, Tutanaklar, Belgeler, C.1, (Ankara: AÜ Siyasal Bilgiler Fakültesi Yayını, 1969), p.41.					
<b>Table.2: Statistics given by Venizelos to Allied States on 30 December 1918 on the Population in Western Thrace</b>					
	<b>Turks</b>	<b>Greeks</b>	<b>Bulgarians</b>	<b>Jews</b>	<b>Armenians</b>
<b>Komotini</b>	50.000	9.110	10.550	0	0
<b>Xanthi</b>	22.000	10.275	1.695	0	0
<b>Sofulu</b>	32.140	17.880	5.380	0	0
<b>Alexandroupolis</b>	10.000	7.371	11.358	0	0
<b>Total:</b>	114.140	44.636	28.983	0	0
<b>Source:</b> Ayşe Nühhet Adıyeko, <i>Yunanistan Sınırları İçinde Müslüman Cemaat Örgütlenmeleri: "Cemaat-İ İslamiyeler", 1913-1998</i> , (Ankara: Ankara Üniversitesi Basımevi, 2001), p.20.					

<sup>197</sup> Turkish Minority in Western Thrace, available at: <http://www.turk-yunan.gen.tr/english/greece/violation01.html> accessed on January 27,2005.

Thus, to increase the Greek population in Western Thrace, Greek government began to settle the Greek immigrants to Western Thrace who were coming from Turkey enforced by the compulsory exchange of populations. Moreover, the Greek government violated the Article 16 of the Exchange Convention and seized the lands and houses belonging to the Turkish minority, and tolerated the occupation of land and property of minority groups by the Greek refugees. As Baskin Oran argues: “After the settlement of Greek refugees in Western Thrace, the number of Greeks reached to huge numbers, that are 189.000 Greeks in 1924 (in one year from 40.000 to 189.000), and around 220.000 in 1928.”<sup>198</sup> Richard Clogg also adds that after the WWI, Greeks formed around 20% of Western Thrace population, and after exchange of groups, the Greek population formed 60% of the total population of the region.<sup>199</sup>

In terms of land, before the signing of the Lausanne Agreement, the Turkish minority in Western Thrace owned 84% of the cultivated land in Western Thrace that was the only source of minority’s economical strength.<sup>200</sup> In this period, around half of the area owned by the Turkish

Region	Seized Houses	Seized Land (Donums)
<b>Kumçiftlik</b>	1.126	228.540
<b>Dimetoka</b>	340	83.133
<b>Sofulu</b>	1.190	237.774
<b>Dedeğaç</b>	211	32.497
<b>Gümülcine</b>	113	57.465
<b>İskeçe</b>	25	16.228
<b>Total:</b>	<b>3.005</b>	<b>655.637</b>

Source: Ayşe Nühket Adıyeke, *Yunanistan Sınırları İçinde Müslüman Cemaat Örgütlenmeleri: “Cemaat-İ İslamiyeler”, 1913-1998*, (Ankara: Ankara Üniversitesi Basımevi, 2001), p.22.

minority of Western Thrace was seized by the Greek State, expropriated or forcefully bought from the minority. Today, the Turkish minority owns about 30% (84% in 1923) of the cultivated land of Western Thrace most of which was lost

<sup>198</sup> Oran, *Türk-Yunan İlişkilerinde Batı Trakya Sorunu*, *op. cit.*, p.81.

<sup>199</sup> Richard Clogg, *Modern Yunanistan Tarihi*, (İstanbul: İletişim Yayınları, 1992), pp.130-131.

<sup>200</sup> Ayşe Nühket Adıyeke, *Yunanistan Sınırları İçinde Müslüman Cemaat Örgütlenmeleri: “Cemaat-İ İslamiyeler”, 1913-1998*, (Ankara: Ankara Üniversitesi Basımevi, 2001), p.23.

between 1923 and 1930.<sup>201</sup> According to the figures prepared by ‘Trakya Gayrimubadiller Cemiyeti’ in 1928, between 1923 and 1928, the total of 3005 houses and 655.637 donums of land belonging to the Turkish minority in Western Thrace were seized by the Greek government which was untouchable according to the Exchange Convention.<sup>202</sup>

Shortly, due to the settlement of Greek refugees in Western Thrace and forceful seizures of the land and property of Turkish minority in the region, about 20,000 minority members who were exempted from the compulsory exchange migrated to Turkey because they lost their means of subsistence and their cultivated land. The ethnic Greek population in the region became a majority after the influx of Greek refugees, and Greece, mostly, reached its aim to reverse the demography of the region by adding 220.000 Greek refugees to its population. In addition, Greek security concerns about the secession of the region to Turkey by a plebiscite diminished after the alteration of the demography of the region in favor of ethnic-Greeks. In 1930, the above-noted Greek-Turkish Convention was signed and the problems remained from the compulsory exchange convention were settled which enabled the beginning of détente period between Greece and Turkey.

### **4.3 The Détente Period**

Since the solution of problems left from the Lausanne Agreement in 1930 to the Cyprus conflict in the mid-1950s, the Greek-Turkish relations entered a period of détente. In the period of détente between Greece and Turkey, Greek minority policies towards Western Thrace became more liberal and less exclusivist and assimilationist due to the circumstantial developments, and the Turkish minority in Western Thrace began to be granted its rights enforced by the Lausanne Agreement or at least, not any clear violation of minority rights in the period between 1930 and mid-1950s had occurred in the region. The Greek government, also refrained from its compulsory assimilation campaigns or expulsion strategies,

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<sup>201</sup> *Ibid.*

<sup>202</sup> *Ibid.*, p.22.

and instead took several steps for the recognition of the ethnic identity of the Muslim minority group in Western Thrace. Nevertheless, several laws such as Decree 1366/1938 forbidding foreign nationals to buy land near border areas and 1953 Law on Forbidden Zones enacted in this period restricted various rights of minorities which showed the continuation of basic intentions (ethnic exclusion) of the Greek State on the issue of minority protection.<sup>203</sup>

The motive behind the shift of Greek minority policy towards Western Thrace from assimilation and expulsion to application of minority rights and even recognition of ethnic identity, though not officially, is the **political necessities of the era** and its external effects on Greece which obliged the onset of détente in bilateral relations between Greece and Turkey. After the solution of the population exchange and established problems between Greece and Turkey, they also signed a number of other agreements on 30 October 1930; Agreement for Friendship, Neutrality and Arbitration “*which went so far as to prohibit either signatory from participating in any political or economic alliance that went against the other*”, and hence, signified the beginning of the détente period in bilateral relations of Greece and Turkey.<sup>204</sup> When viewed from a wider conjuncture, the beginning of 1930s witnessed the rise of fascism in Europe which tightened the relations between states of different blocs. In addition, as a characteristic of the League of Nations period, states bound by the minority treaties and other revisionist states pressed for the changing of the Versailles System established after the WWI, and demanded border amendments by threatening their neighbor states. As such, revisionist Bulgarian State in the Balkans aimed to re-gain the region of Western Thrace threatening the security of Greek lands. In addition, fascist Italy put forward its aim on the Mediterranean Sea intimidating both Turkish and Greek interests in the region. Thus, regional security concerns and the world-wide atmosphere of polarization and revisionist claims brought Turkey and Greece

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<sup>203</sup> Hugh Poulton, *The Balkans: Minorities and States in Conflict*, (London: Minority Rights Publications, 1991), p.183.

<sup>204</sup> Koufa and Svolopoulos, *op. cit.*, p.303.

closer. As a result, in 1934, Turkey and Greece instigated the formation of the Balkan Entente including Greece, Turkey, Yugoslavia and Romania.<sup>205</sup>

In addition, the post-WWII environment of bipolar world, the Soviet threats to Turkey and communist-led civil war in Greece brought Turkey and Greece together under the common defense aegis of the US-led bloc which entailed the intensification of détente period in relations between Greece and Turkey. The German occupation and the devastation of Greek infrastructure during the WWII weakened the strength of Greek State against the communist threat after the WWII, and Greece sought a partner to improve its security. Similarly, under the direct threats of a superpower, the Soviet Union, after the WWII, Turkey, also sought both regional and international partners to form alliances. Consequently, both countries applied to the same alliances, and in 1948 accepted to European Council, in 1952 joined to NATO and in 1954 initiated Balkan Pact by which they became allies in the same security alliances.<sup>206</sup>

Secondly, the turmoil in the domestic politics of Greece during the 1930s and 1940s, avoided the Greek State to follow a systematic minority policy in Western Thrace in the détente period. In the beginning of 1930s, the economic crises caused by the Great Depression and the political polarization between Liberal Party (liberals), People's Party (traditionalists) and Communist Party of Greece (KKE-communists) dragged the country to political instability and imposition of outright dictatorship in 1935.<sup>207</sup> In elections of 1932, Liberal Party and People's Party gained very close numbers of votes that led Greece to parliamentary deadlock, and the attempts of coups followed which was ended in the establishment of the 'Regime of Fourth of August 1936' (Metaxas dictatorship) as Metaxas liked to call his dictatorship.<sup>208</sup> On the other hand, after the beginning of

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<sup>205</sup> Birgül Demirtaş Coşkun, *Türkiye-Yunanistan: Eski Sorunlar, Yeni Arayışlar*, (Ankara: Avrasya Stratejik Araştırmalar Merkezi Yayınları, 2002), p.5.

<sup>206</sup> *Ibid.*, p.6.

<sup>207</sup> Richard Clogg, *A Concise History of Greece*, (Cambridge: Cambridge University Pres, 1992), p.109.

<sup>208</sup> *Ibid.*, p.117.

WWII, the Greek territory was occupied by forces of Germany, Italy and Bulgaria (occupied Western Thrace) in 1941.<sup>209</sup> After the evacuation of occupation forces from Greece at the end of WWII, as Tsoucalas points out: “*From 1940 to 1944 550.000 people (8 percent of the population), had perished, and 34 per cent of the total national wealth had been destroyed; 401,500 houses were completely destroyed, leaving 1,200,000 people homeless.*”<sup>210</sup> Besides, the devastated country had fallen into a fierce Civil War in the period 1946-1949 between the communist (KKE) and liberal (EAM) forces which further worsened the political and economic strength of Greece. Thus, during these years of chaos and even occupation in Greece, the minority policy fell down to the bottom of the list in the political agenda of Greece.

In addition, the loyalty of the Turkish minority to the Greek State during these years of political and economic turmoil had not vanished unnoticed by the Greek government. The Turkish minority in Western Thrace had never followed a separatist or collaborationist policy and respected the territorial unity of Greece during the difficult times of Greek forces in the WWII and Civil War. Moreover, during the WWII, the members of Turkish minority served in the Greek army against the Italian attack in 1940. According to Hatipoğlu, 16.600 Turks from Western Thrace fought in the Greek Army, and 2.600 of them died in action and 1.850 injured.<sup>211</sup> Besides, during the Civil War in Greece, the Turkish minority mostly sided with the central government in Athens against the communist guerillas, and between 1946-1949, 27.400 Turks were on duty in Greek governments’ army, and as Hatipoğlu argues: “*Most of the Turks fought against communist guerillas were awarded with medals by Marshall Papagos and King Paulos because of their success.*”<sup>212</sup>

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<sup>209</sup> C. Tsoucalas, *The Grek Tragedy*, (Middlessex: Penguin Pres, 1969), p.58.

<sup>210</sup> *Ibid.*, p.91.

<sup>211</sup> M. Murat Hatipoğlu, *Yunanistan’da Etnik Gruplar ve Azınlıklar*, (Ankara: Ankara Üniversitesi Basımevi, 1999), pp.26-27.

<sup>212</sup> *Ibid.*, p.27.

In short, because of the international political environment, the loyalty of the minority groups in Western Thrace, the turmoil in Greek domestic politics and, especially, the close bilateral relationship between Greece and Turkey led to the more liberal minority rights policies of Greece in Western Thrace compared with the other periods. The most important development for the minority group in Western Thrace was the approval of minority's ethnic identity by at least the local authorities of Greek State. The Turkish minority in Western Thrace was allowed to use 'Turkish minority' title in official documents, minority schools and in other fields by the Governmental regulations. For instance, the General Administrator of Thraka, G. Fessopulos wrote to the mayors and presidents of the communes of the prefecture of Rhodope on December 27, 1954: "*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'*".<sup>213</sup> In another document written on February 05, 1955, G. Fessopulos ordered for the change of the sign in Komotene:

*In spite of the strict orders of 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 exist 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.*<sup>214</sup>

In addition, as stated in the Helsinki Watch Report, there are photographs of the Turkish elementary schools showing: "*in the village of Kalhandos in Komotini about 30 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.*"<sup>215</sup> A geography book, dated 1933, was written in Turkish and described as a 'Turkish book'; an elementary school diploma, dated June 10, 1957, was written in both Greek and Turkish, in which Hatice Iman, 13 years old, was identified as

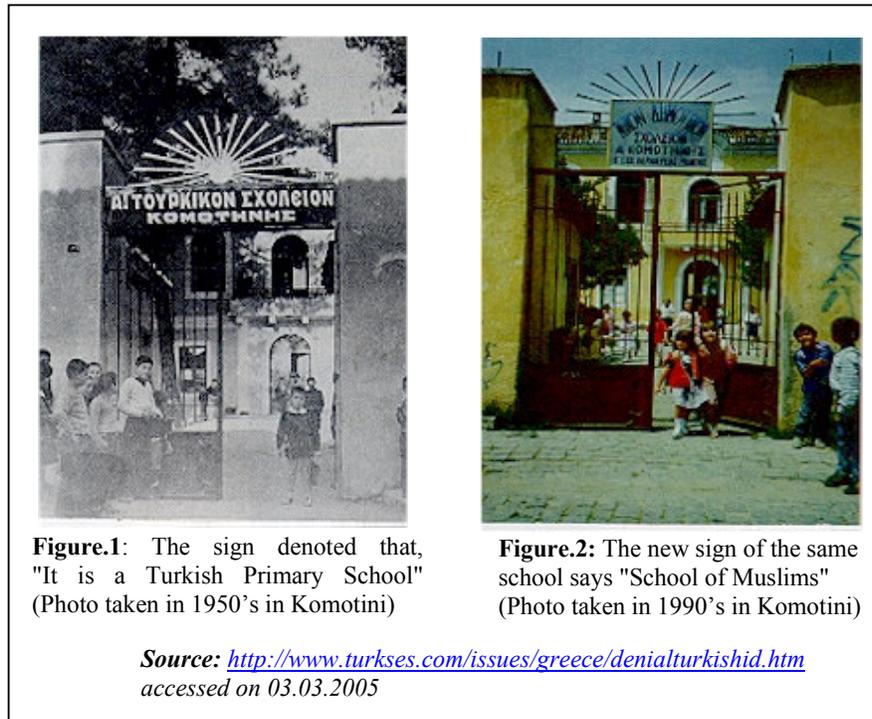
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<sup>213</sup> Mehmet Samsar, *Batı Trakya Türk Azınlığının Sorunları*, (Ankara: Gazi Üniversitesi, 1991), p.148.

<sup>214</sup> A Helsinki Watch Report, "Destroying Ethnic Identity: The Turks of Greece", *op. cit.*, p.52.

<sup>215</sup> *Ibid.*

‘Turk’.”<sup>216</sup> All these examples given above prove that the Greek authorities accepted the ethnic identity of the minority group as ‘Turkish’ and identified them as ‘Turkish’ minority in Western Thrace.



Besides, in educational affairs, the Greek government signed the Cultural Agreement with the Turkish government on April 20, 1951, which ordered the granting of scholarships for minority students, the intensification of relations on minority education and the correction and updating of minority school books.<sup>217</sup> After the signature of the Cultural Agreement, for the education of the minority group in Western Thrace, Turkish teachers (who were Turkish citizens) were entrusted, and they contributed to the improvement of the quality of minority education in Western Thrace.<sup>218</sup> Moreover, Turkish minority schools were allowed to be repaired, and for the first time in Western Thrace, a minority high school was

<sup>216</sup> *Ibid.*, pp.15-16.

<sup>217</sup> Oran, *Türk-Yunan İlişkilerinde Batı Trakya Sorunu*, *op. cit.*, p.119.

<sup>218</sup> Samsar, *op. cit.*, p.133.

opened in Komotini in 1952.<sup>219</sup> Besides, the most important development about minority education in the détente period was the enactment of Law 3065/1954 which was known as ‘Marshall Papagos Law’ in the region. In the Marshall Papagos Law, which was the first law on minority education, minority schools were mentioned as ‘Turkish schools’ for the first time in Greece.<sup>220</sup>

About religious and social affairs of the minority, two royal decrees were put into force in 1949 which enabled the application of specific parts of the Law 2345/1920. The Greek Law 2345/1920 on Islamic Communities was related with the election of ‘mufti’ (the religious head of the minority in Western Thrace) by the minority group, and the administration of ‘vakfs’ belonging to the Muslim community in Western Thrace.<sup>221</sup> The Law 2345 was enacted in 1920, but its application began in 1949 with two royal decrees in 1949, after which, for the first time, an election was realized in 1950 for the election of muftis and the formation of Muslim Community Boards that would administer the Muslim vakfs and social and educational institutions.<sup>222</sup> Thus, the minority in Western Thrace had the right to elect their own administrators in religious, social and educational affairs which would continue until the Junta rule.

Furthermore, the Turkish minority had the right to involve in Greek politics by democratic means. For instance, in the elections of September 25, 1932 and June 09, 1935 a Muslim minority member, Hafız Hasan, was elected to the Greek Parliament as a deputy of Liberal Party who was the first minority member to become a parliamentarian in the Greek Parliament.<sup>223</sup>

Thus, the liberalization of minority policies of Greece in this period was an artificial development forced by the circumstantial factors and regional political

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<sup>219</sup> Oran, *Türk-Yunan İlişkilerinde Batı Trakya Sorunu*, *op. cit.*, p.120.

<sup>220</sup> Türel, *op. cit.*, p.81.

<sup>221</sup> Adıyeke, *op. cit.*, p.28.

<sup>222</sup> *Ibid.*, p.32.

<sup>223</sup> Adil Özgüç, *Batı Trakya Türkleri*, (İstanbul: Kutlug Yayınları, 1974), p.49.

necessities of the era which led Greece to follow less exclusive and less assimilationist policies. In the détente period, the Turkish minority in Western Thrace was not identified as a security threat by the Greek government. Hence, in the détente period, Greek governments perceived no drawbacks in applying liberal policies towards the minority in Western Thrace. Instead, the ideal of forming a homogenous Greek nation and the ethnocentric concepts of ‘the Other’ dragged Greek governments to dilemmatic situations which led the governments to enact several laws limiting the rights of the minorities. In addition, the proposal of the Allied Powers to Turkey about the Rhodes and Twelve Islands after the WWII entailed the formation of question marks in the minds of Greek government. However, the explanation of the Turkish Ministry of Foreign Affairs in 1947 denying all the rumors on Turkish aims for Aegean islands secured the continuation of détente period between Greece and Turkey. Indeed, the artificial liberal minority policy of Greece even approving the ethnical identity of the minority group (not a requirement of the Lausanne Agreement) went on until the mid-1950s during which the minority group in Western Thrace enjoyed wide social, educational and religious rights. In mid-1950s, the Cyprus problem emerged that soured the bilateral relations between Greece and Turkey, and thus, the generous minority policy of Greece. In the next period, all the gains of the détente period were reversed and the assimilationist and suppressive policies re-applied in Western Thrace.

#### **4.4 The Era of Suppression and the Instruments of Suppression**

The period between the commencing of Cyprus revolt in mid-1950s and the beginning of the 1990s, Greek governments deviated from more liberal minority policies of the détente period, and began to apply ‘the minority policy of exclusion, assimilation and even expulsion’. These deliberate policies of Greece included the denial of the identity of minority group, application of all the means to deprive minority members of Greek citizenship, and restrictions on freedoms of

religion, education, and social affairs.<sup>224</sup> Moreover, members of the Turkish minority were encouraged to emigrate to Turkey or to the other parts of Greece excluding Western Thrace by several incentives. By these means, Greek governments strived to achieve the ideal of a homogenous nation and national unity by reducing the number of or the concentration of citizens of Greece belonging to the minority which was discriminated as ‘Others’ or ‘Aliens’. Besides, the alteration of the perception of threat deeply affected the Greek minority policy. Due to the worsening bilateral relations between Greece and Turkey related with the Cyprus issue, the Turkish minority in Western Thrace began to be re-considered as a threat against the security of Greece. In addition, as explained below, Greek governments also followed the policy of differentiating minority groups in Western Thrace as Turks, Pomaks and Roma who were all identifying themselves as Turks, to minimize the number of Turkish minority living in the region by dividing it into smaller components.

As noted above, the most important motive behind the shift of Greek minority policies in this period was the deterioration of bilateral relations between Greece and Turkey owing to the Cyprus crisis that had even dragged both states to the brink of war. As Niarchos argues, suspicions of the Greek government about the Turkish minority raised in this era due to the Cyprus issue, and the Greek government feared from the use of Turkish minority by the Turkish government in order to raise demands similar to the Turkish-Cypriots, and thus, the Turkish minority was seen as a potential threat for the Greek territorial integrity and national security.<sup>225</sup> Cyprus was a British colony since 1878 rented from the Ottoman Empire, and became a British island after the Lausanne Agreement. However, the population of the island was made up of 80% Greeks and 20% Turkish. In 1955, the Greeks of the island started a civil revolt for the unification of the island with Greece (enosis) by the help of the Greek organization, EOKA. To prevent the unification of the island with Greece, Turkish government involved

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<sup>224</sup> A Helsinki Watch Report, “Destroying Ethnic Identity: The Turks of Greece”, *op. cit.*, p.1.

<sup>225</sup> Niarchos, *op. cit.*, p.12.

in the issue and proposed the division of Cyprus between Greece and Turkey. On the other hand, triggered by the Greek uprising in Cyprus, the nationalist sentiments in Turkey reached its peak, and on 06-07 September 1955, severe attacks on Greek minority in Istanbul occurred which entailed the emigration of Greek minority in Istanbul in large numbers. Besides, the Greek citizens who had working permits in Istanbul after the agreement signed in 1930, lost their working and housing permits in 1964, and around 20,000 Greek citizens left Turkey.<sup>226</sup> All of the mistreatment against the minority groups in Turkey found its reflection in Greece in which the nationalist sentiments was also in its peak. As Niarchos points out: “Greek government threatened to use its Muslims as a political tool in order to stop the persecutions of Greek minority in Turkey.”<sup>227</sup> The significant decrease in the population of Greek minority in Istanbul, gave a pretext to the Greek government that have begun to argue on the reciprocity principle of the Lausanne Agreement. The Greek government argued that the reciprocity principle ceased to exist after the drastic decreases in the number of Greek minority members, and applied severely ethnocentric and exclusivist (assimilationist and expulsionist) policies in Western Thrace towards the Turkish minority to force them to migrate from the region.

Furthermore, the Greek domestic policy was also based on the Cyprus issue in this period. The public opinion in Greece was sensitive on the Cyprus issue which was regarded as the final step of Greek expansion as a part of the Megal-i Idea. Thus, there was a great resentment against Turkey and Turks in the Greek public opinion, because Turkey was the only obstacle left against the unification of Cyprus with Greece. After the colonel junta’s rising to power in 1967, the authoritarian constitution and government established in Greece, and systematic suppressive measures were taken violating rights of minority groups by the colonels’ dictatorship. The Turkish minority in Western Thrace affected heavily by

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<sup>226</sup> Hatipoğlu, *op. cit.*, p.28.

<sup>227</sup> Niarchos, *op. cit.*, p.12.

the discriminatory, exclusivist and suppressive policies of the chauvinist<sup>228</sup> junta rule which was the worst period for the minority in Western Thrace in terms of minority protection. Especially, after the coup d'état in Cyprus and the intervention of Turkey to the island in 1974, Greece and Turkey once again came to the verge of war, and the Turkish minority in Western Thrace had considered as an eminent threat to Greek territorial integrity and security. As Niarchos states: *“the junta’s nationalist rhetoric was exclusive to non-Orthodox Greeks and therefore intervened to internal affairs of all minority communities, in this case its aim appears to have been the Muslim’s gradual elimination through measures of administrative harassment, including difficulties in obtaining driving licenses, loans or buying land.”*<sup>229</sup> Even after the fall of the junta regime, and restoration of democracy, democratic governments of Greece had done nothing to liberalize the Greek minority policy in Western Thrace until 1990s against the anti-Turkish public opinion aroused after the Cyprus intervention, and the heads of the local administration remained from the junta regime.

The last policy applied by the Greek government in this period was the separation of Muslim minority into its smaller ethnic components. After the Lausanne Agreement, Greek governments preferred to categorize the minority in Western Thrace as ‘Muslim’ without differentiating its ethnic components which resulted in the domination of the largest ethnic minority culture (Turkish culture) among the minority group. For instance, as Brunnbauer argues, without the special interest of the Greek government, Pomaks and other non-Turkish minority members had to attend Turkish minority schools, and went to Turkish-controlled religious institutions, which accelerated the voluntary assimilation of the Pomaks and gypsies in the Turkish community, and they began to identify themselves as ‘Turks’.<sup>230</sup> The shift of the Greek policy on differentiating the ethnicity of Muslim minority came in 1960s after the deterioration of Greek-Turkish relations. Firstly,

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<sup>228</sup> Clogg, *op. cit.*, p.207.

<sup>229</sup> Niarchos, *op. cit.*, p.13.

<sup>230</sup> Brunnbauer, *op. cit.*, p.48.

the junta regime lifted the decree of 1954 which had declared all Muslim minority members in Western Thrace to be Turks.<sup>231</sup> In addition the Greek historians, ethnographers and anthropologists participated in the campaign to prove that the Pomaks were neither Turks nor Bulgarians but of Greek origin.<sup>232</sup> As Brunnbauer states:

*Greek scholars who participated in this campaign based their theories on two 'evidences' – linguistic and racial. First, they inferred the Greek ethnic origin of the Pomaks from some Greek words in their idiom, and second, blood group categories were cited in order to prove that the distribution of blood groups among Pomaks was much more similar to that among Greeks than that among Turks or Bulgarians. Other racial arguments were put forward to claim that Pomaks were Indo-European, Greek origin, because more blond, blue-eyed, and fair-skinned persons could be observed among them than among Turks.*<sup>233</sup>

Moreover, Greek schools were opened in the areas heavily-inhabited by the Pomak population in order to diminish Turkish influence on Pomak culture.<sup>234</sup> The basic aim behind the ethnic separation of the Muslim minority in Western Thrace was to prevent the Turkification of Pomak and gypsy population in the region, and thus divide the minority into smaller ethnic groups which would have less influence on the policies of the Greek government and the security concerns of Greece would diminish by a smaller Turkish minority in the region.

Hence, the deterioration of Turkish-Greek bilateral relations due to the Cyprus crises, the mounting of nationalist feelings and negative public opinion of both states against each other, the oppressive, authoritarian and chauvinist policies of the junta government in Greece, the violent reactions in Turkey against the Greek minority in Istanbul entailed the shift of the Greek minority policy towards Western Thrace from a more liberal stance to an exclusivist, assimilationist and suppressive level which had violated the international treaties on minority rights

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<sup>231</sup> *Ibid*, p.49.

<sup>232</sup> *Ibid*.

<sup>233</sup> *Ibid*.

<sup>234</sup> *Ibid.*, p.50.

that Greece had signed. The Greek practices methodically and steadily violating the minority treaties in the period of suppression will be elaborated in the sections below.

#### **4.4.1 Educational Practices**

According to the Article 26 of the UN Universal Declaration of Human Rights, and the Article 9 of the European Convention for the Protection of Human Rights and Fundamental Freedoms, states have to provide education to everyone, and Universal Declaration of Human Rights puts that parents have the right to choose the kind of education that shall be given to their children.<sup>235</sup> In addition, the Protocol III of the Athens Agreement (1913), the Articles 8 and 9 of the Sevres Agreement and the Articles 40 and 41 of the Lausanne Agreement delegate the right to establish, manage and control any schools with the right to use their own language. Furthermore, Turkey and Greece signed two protocols, Cultural Agreement and the Protocol of the Cultural Commission about the education of the respective minorities and concluded that for proper operation of the educational institutions each country has the right to publish textbooks for its respective minority group and the authorities would renew the old textbooks.<sup>236</sup>

First of all, as a part of the denial of ethnic identity of the minority group in Western Thrace, Greek authorities forced the Turkish Minority to give up using the name ‘Turkish Schools’, and instead used ‘Muslim Schools’ at the end of 1950s. After the military coup, law no.1109 enacted by the junta regime in 1972, legally ended the usage of ‘Turkish School’, and renamed the schools as ‘Minority School’.<sup>237</sup> Besides, the junta in power ended the election of the community boards administering the minority schools, and began to appoint the members of community boards by the help of Nomark. In 1977, two more laws about the

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<sup>235</sup> <http://www.un.org/Overview/rights.html>, the Universal Declaration of Human Rights, the official web site of the UN accessed on 27.01.2004.

<sup>236</sup> Human Rights Watch Report on Greece, “The Turks of Western Thrace”, Vol.11, No.1(D), January 1999, Appendix B.

<sup>237</sup> Oran, *Türk-Yunan İlişkilerinde Batı Trakya Sorunu*, *op. cit.*, p.123.

education of the minority were enacted by Karamanlis government. Law no.694 states that the authority of the community boards in administering the minority schools was transferred to the prefecture of the respective province, and the final decision of establishing a new minority school was also in the hands of the prefecture.<sup>238</sup> Law no.695 refers to the selection of teachers and rules that the graduates of Thessaloniki Pedagogical Academy (EPATH) would be preferred to teach in the minority schools instead of teachers from Turkey.<sup>239</sup> EPATH is a teachers' academy that enrolls ethnic Pomaks from Western Thrace and educates them in Greek and Turkish to teach in minority schools. Yet, the quality of education in the academy is not adequate to learn fluent Turkish to teach in minority schools. Thus, as Poulton argues, this academy “*relies on an outdated religious curriculum deliberately to create an incompetent Hellenized education system in Western Thrace isolated from the mainstream of modern Turkish culture.*”<sup>240</sup>

On the other hand, there were about 300 primary minority schools operative in Western Thrace, but there had been only two minority high schools, which meant that from 10,000 pupils graduating from minority primary schools only 400 had the chance to attend the minority high schools.<sup>241</sup> The number of high schools were inadequate for the minority group in Western Thrace, however, the Greek authorities rarely authorized opening of new minority schools, even the reparation the existing ones. As the Helsinki Watch Report demonstrates: “... *The Komotini School was in a large building that needed repairs. Each of the village schools was in a small building in disrepair... In Zigos, the school shared a building with the mosque, as the old school had collapsed, and village leaders said they had not received permission to build a new one.*”<sup>242</sup> The worst of all, as Ekinci points out, a Greek law dated May 1984 stipulated an entrance examination for the two

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<sup>238</sup> Türel, *op. cit.*, pp.82-83.

<sup>239</sup> Oran, *Türk-Yunan İlişkilerinde Batı Trakya Sorunu, op. cit.*, p.130.

<sup>240</sup> Poulton, *op. cit.*, pp.185-186.

<sup>241</sup> Human Rights Watch Report on Greece, *op. cit.*, p.28.

<sup>242</sup> A Helsinki Watch Report, “Destroying Ethnic Identity: The Turks of Greece”, *op. cit.*, pp.40-41.

minority high schools, as well as a graduation examination that had to be in Greek.<sup>243</sup> Accordingly, the result of these measures, as Poulton states, has been a dramatic decline in secondary school students in Turkish schools from 227 in Xanthi and 305 Komotini in 1983-84, to 85 and 42 respectively in 1986-87 as well as the graduates from these schools.<sup>244</sup> Nevertheless, there was no entrance examination for a Greek secondary school, which was a typical discriminatory treatment against the Turkish minority.

Another issue of controversy was the textbooks used in minority schools. Greek authorities had not implemented the 1968 Protocol and new books had not allowed in minority schools, and until 1990s, the schools had used the out-of-date

<b>Table.4: The Number of Students and Graduates from the Minority Schools in Western Thrace</b>				
	<b>The Number of Students</b>		<b>The Number of Graduates</b>	
	<b>Xanthi</b>	<b>Komotini</b>	<b>Xanthi</b>	<b>Komotini</b>
<b>1983-84</b>	227	305	3	1
<b>1984-85</b>	183	174	2	1
<b>1985-86</b>	120	84	3	0
<b>1986-87</b>	85	42	7	0
<b>1987-88</b>	88	43	3	0
<i>Source: Salahaddin Galip, "Batı Trakya'da Yazabildiklerimden", (Istanbul: Kastaş Yayınevi, 1998), p.35</i>				

books published in 1960s and before. According to Sibel Utku, ages-old books have been thought in the minority schools, one of them saying 'one day man is going to step on the Moon.'<sup>245</sup> In addition, in the visit of Helsinki Watch's representatives to elementary schools in Western Thrace, they noticed that: "*the Greek textbooks were new; the Turkish textbooks were old and worn, dating from*

<sup>243</sup> Didem Ekinçi, *Internationalization of European Minority Norms: The Case of Greece in the European Union*, (Ankara: Bilkent University (Unpublished Masters Thesis), 2002), p.60.

<sup>244</sup> Poulton, *op.cit.*, p.186.

<sup>245</sup> <http://www.turkishforum.com/thrace/tdn.html>, by Sibel Utku, the reporter of Turkish Daily News, accessed on 28.01.2005.

1970 or earlier, frequently with pages missing. Dr. Sadık Ahmet also reported that his son was using the same schoolbooks he had used in 1960.”<sup>246</sup>

#### 4.4.2 Economic Practices

The Article 17 of the UN Universal Declaration of Human Rights grants the right of owning property alone as well as in association with other, and adds that no one shall be arbitrarily deprived of his property.<sup>247</sup> On the other hand, 1913 Athens Agreement guarantees the life, property and religious rights of minorities in Greece, and the Treaty of Sevres recognizes the equality of all Greek citizens in front of laws including economic freedoms.<sup>248</sup> The Exchange Convention also provides the free usage of the property rights of minorities.

Before the signing of Lausanne Agreement, the minority in Western Thrace possessed about 80% of the cultivated land, and now it is around 20%, and 80% of the minority group were peasants whose existence was directly linked to the land they own, and hence, most of them lost their source of subsistence by the practices of Greek governments in this era. One of the most important reasons for the shrinking of minority lands was the low-interest credits given to the ethnic-Greek citizens to buy lands of minorities. According to the decree published in 1966, Greek Central Bank provided huge amounts of low-interest credits payable in 20 months for the Greek-Orthodox citizens to buy the minority properties.<sup>249</sup> Secondly, the arbitrary expropriation of minority lands is another major cause of the narrowing possessions. In this period, Greek governments expropriated huge areas of lands in Western Thrace to build military facilities, university, open prison, and industrial center. For instance, as Oran argues, for the industrial center the Greek government expropriated 4000 acres, for the university about 3200 acres, and for the military facility about 4300 acres of land; nonetheless, about

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<sup>246</sup> Helsinki Watch Report, “Destroying Ethnic Identity: The Turks of Greece”, *op. cit.*, p.41.

<sup>247</sup> <http://www.un.org/Overview/rights.html>, the Univesal Declaration of Human Rights, the official web site of the UN accessed on 27.01.2005.

<sup>248</sup> Türel, *op. cit.*, p.86.

<sup>249</sup> Samsar, *op. cit.*, p.163.

only one third of the lands expropriated were used for the facilities and the rest were rented to the peasants who were mainly ethnic-Greeks, and the lands expropriated were the most fertile lands of Western Thrace vital for the livelihood of the minority.<sup>250</sup> The Inhanlı Case was a typical example of forced seizures of land by the Greek authorities. About 3000 acres land had registered to a Muslim family in Inhanlı village which was confirmed by the Ottoman land registers, but Greek State had not recognized the Ottoman documents violating the international agreements, and expropriated the land.<sup>251</sup>

Besides, the Turkish minority in Western Thrace were not allowed to own and operate a business and buy house or land. For all of these actions, they had to get permission from the prefecture of the region, and most of the time, permissions were denied or took years to acquire. For instance, as argued in the report of Helsinki Watch, Ali Müminoglu who was a mechanical engineer in Xanthi has been trying for many years to get permission to build a factory; however, Nomark's office always told him to wait another ten days or a month to get the permission.<sup>252</sup>

#### **4.4.3 Religious Practices**

The Article 18 of the Universal Declaration of Human Rights and the Article 9 of the Convention for the Protection of Human Rights and Fundamental Freedoms grants the freedom of religion and conscience and manifesting the religion to everyone. In addition, the Article 42 of the Lausanne Agreement guarantees the full protection of religious establishments, and bans to refuse the formation of new ones by the respective authorities. The Greek Law 2345/1920 even permitted the formation of the 'mufti' structure in which the muftis would administer religious and social affairs of the minority, and the mufti would be appointed by the Ministry of Education and Religious Affairs from the three candidates elected by

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<sup>250</sup> Oran, *Türk-Yunan İlişkilerinde Batı Trakya Sorunu*, *op. cit.*, p.242.

<sup>251</sup> Samsar, *op. cit.*, p.169.

<sup>252</sup> Helsinki Watch Report, "Destroying Ethnic Identity: The Turks of Greece", *op. cit.*, p.36.

the minority.<sup>253</sup> According to the Law, there would be a ‘basmufti’ that would be the head of the minority community and would supervise the muftis in the provinces.

Instead of these international and domestic guarantees, in the period between 1955 and 1990, Greek governments violated the religious freedom of the minority in Western Thrace. Firstly, the above-noted basmufti has never been appointed by the Greek authorities, and only two muftis and a deputy mufti were appointed to Xanthi, Komotini and Dimetoka respectively. Greek governments have never allowed the minority group to elect its own mufti; and instead appointed the muftis who were protested by the minority group. For instance, after the death of mufti of Komotini in 1985, the Greek government appointed another mufti, Huseyin Mustafa, against the widespread protests of the minority, and also enacted a law in 1990 stating that ten minority representatives appointed by the prefect of the province would only advise a mufti candidate, and the minister of education and religious affairs would give the final decision on the issue, which led to disappointment in the Turkish minority group. Another issue was about the election of community boards, which began to be appointed by the Nomark after junta’s rise to power, and in 1980 Law No. 1091 was enacted and called for the administration of the wakfs by a board of five administrators selected by the Nomark.<sup>254</sup>

Furthermore, the religious establishments of the minority groups were not protected as the Lausanne Agreement and the other international agreements foresee. For instance, according to Ortakovski, after the mass demonstrations of the Turks in Komotini, in 1988, two bomb explosions took place, one in the central mosque and the other in Turkish graves nearby the mosque, committed by the Greek radicals.<sup>255</sup> In addition, as Oran argues, in Komotini ‘Pospos Tekkesi’, a

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<sup>253</sup> Türel, *op. cit.*, p.94.

<sup>254</sup> Helsinki Watch Report, “Destroying Ethnic Identity: The Turks of Greece”, *op. cit.*, p.29.

<sup>255</sup> Ortakovski, *op. cit.*, p.189.

600 year-old religious tomb was ruined by the Greek authorities.<sup>256</sup> On the other hand, the repair and restoration permits for religious buildings like the educational ones were not given to the minority group. As the CSCE Report on Greece suggests, the permission for the construction or repair of places of worship was often difficult or impossible to obtain despite the commitment of the CSCE participating states including Greece.<sup>257</sup> As mentioned in the Helsinki Watch report:

*In Iasmos, Helsinki Watch photographed a half-built minaret which the community has been trying for 25 years to get permission to complete, and in a copy of letter dated February 4, 1985, in which the Nomark of Komotini wrote that permission from the Greek Archbishop was required in order to build a mosque.*<sup>258</sup>

#### 4.4.4 Social Practices

As mentioned in the Article 39 of the Lausanne Agreement, differences of religion, creed or confession shall not prejudice any minority member in matters relating to the enjoyment of civil and political rights. However, the most controversial Greek practice on minority rights was about the civil rights of the minority, which was the forced deprivation of Citizenship by the Article 19 of the 1955 Citizenship Law of Greece. According to the Article 19, citizens who are ‘**not of ethnic-Greek origin**’ may be deprived of their citizenship if it is determined that they left Greece with no apparent intent to return, and determination of intent was made without input from the affected individual.<sup>259</sup> The determination was left to the local Greek authorities or the Greek embassies, and the minister of interior decides on the deprivation decision. After the deprivation of citizenship of the person belonging to the minority, the person was not notified by the state; instead, as the US report points out, most of them learn of

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<sup>256</sup> Oran, *Türk-Yunan İlişkilerinde Batı Trakya Sorunu*, *op. cit.*, p.224.

<sup>257</sup> [http://www.turkishforum.com/thrace/csce\\_report\\_1.html](http://www.turkishforum.com/thrace/csce_report_1.html) accessed on 28.01.2005.

<sup>258</sup> Helsinki Watch Report, “Destroying Ethnic Identity: The Turks of Greece”, *op. cit.*, p.27.

<sup>259</sup> US Department of State (The Bureau of Democracy, Human Rights and Labor), Greece Country Report on Human Rights Practices for 1997, 30 January 1998.

this loss only when they seek to re-enter Greece.<sup>260</sup> According to Human Rights Watch Report, in Greece, about 60,000 minority members had lost their citizenship under the application of Article 19.<sup>261</sup> The application of Article 19 of Citizenship Law was also a clear violation of the Greek Constitution which states that every Greek citizen is equal. For instance, as Oran exemplifies, Semahat Haliloğlu, a minority member, was taken to the army for the compulsory military service, yet his citizenship was revoked during his military service in 1989 by suggestion that he left the country, and also the Turkish minority members who went to Turkey to visit their relatives in Turkey lost their citizenship and refused re-entry to Greece.<sup>262</sup>

Another practice of the Greek governments of this period violating the freedom of movement and equality principle of the international legal framework was the ‘military forbidden zones’ established in Western Thrace. The military forbidden zone was a 45 km wide area including most of the northern parts of Western Thrace, and subject to major restrictions. The logic behind the forbidden zone was the communist threat coming from the north, nevertheless affected the minority in the region most of the time. As Lois Labrianidis states, a special pass was needed to enter the military zone; the inhabitants of the zone had to carry a special identity card; special work permit was required for all professions; no one is allowed to migrate into or within the zone without a permit; the Committee for Military Security can expel anyone considered a security risk from the zone and no one was allowed to enter or leave the zone or move within it from 12 midnight to 5a.m.<sup>263</sup>

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<sup>260</sup> *Ibid.*

<sup>261</sup> Human Rights Watch Report on Greece, *op. cit.*, p.18.

<sup>262</sup> Oran, *Türk-Yunan İlişkilerinde Batı Trakya Sorunu, op. cit.*, p.215.

<sup>263</sup> Lois Labrianidis, “Internal Frontiers as a Hindrance to Development”, *European Planning Studies*, Vol.9, Issue 1, pp.4-5.

Thus, Labrianidis admits that up to mid-1970s, the zone's role was primarily a military one, but from mid-70s to 1990s it was converted into an instrument for the political manipulation of the minorities mainly by civil servants working in the area.<sup>264</sup> As a result of these restrictions, as Labrianidis argues: "The economy in the area was a subsistence economy, and the transport is mainly by horses and mules; hence a visitor to this area was overcome with the feeling of having entered into another era or a different Third World country."<sup>265</sup>

The denial of ethnic identity of the Turkish minority in Western Thrace has been another major violation of minority rights in Greece.

Especially in this period, the ethnical identification of the minority was banned in all related matters. Greek governments mainly strived to push ahead the religious identity of the minority to facilitate the assimilation of these groups, and to prevent them from identifying with their kin-states of the same ethnicity. For instance, as stated in Helsinki Watch Report, in 1988 the Greek High Court affirmed a decision by the Court of Appeals of Thrace which held: "'Turkish' referred to the citizens of Turkey, and could not be used to describe citizens of Greece; the use of word 'Turkish' to describe Greek Moslems endangered public order."<sup>266</sup> After the decision of the High Court, all the Turkish associations in Western Thrace containing the word 'Turkish' in their names closed down or forced to change their

<b>Prefecture of Xanthi</b>	<b>Military Zone</b>	<b>Non-Military Zone</b>
<b>Inhabitants per telephone</b>	141	7,7
<b>Asphalted roads as % of total area</b>	0,3	0,7
<b>Electric consumption per person</b>	0,4	0,9
<b>Persons per dwelling</b>	4,3	2,9
<b>Irrigated land % of total land</b>	22,9	44,0
<small>Source: Lois Labrianidis, "Internal Frontiers as a Hindrance to Development", <i>European Planning Studies</i>, Vol.9, Issue 1, 2001 p.15</small>		

<sup>264</sup> *Ibid.*, p.5.

<sup>265</sup> *Ibid.*, p.9.

<sup>266</sup> Helsinki Watch Report, "Destroying Ethnic Identity: The Turks of Greece", *op. cit.*, p.17.

names. In addition, the deputies of Turkish minority in the Greek Parliament, Sadık Ahmet and İsmail Şerif, arrested several times because of using the word ‘Turkish’ to define the minority group in Western Thrace. Another Greek policy in this period was to separate the different ethnicities in Western Thrace to divide them into smaller and ineffective minority groupings. For attaining this goal, Greek governments claimed that Turkish speaking Muslim, Pomak, and Athingani (Gypsy) ethnic groups inhabited in Western Thrace (from 110,000 minority members, 60,000 Turkish speaking Muslims, 30,000 Pomaks, 20,000 Athingani or Roma Gypsies). Nevertheless, most of these ethnic groups identified themselves with the dominant Turkish minority and regarded themselves as Turks.<sup>267</sup>

In addition, in the period of suppression, there were examples of police surveillance, restrictions on freedom of expression, restrictions on access to media, discrimination in public employment and the refusal of licenses. For instance, the minority population in Western Thrace whose 85% was cultivating land could not obtain tractor licenses. As Oran exemplifies, in Duruköy which was 100% percent Turkish had more than 150 tractors; nevertheless, only 30 of them has driving licenses, and in August, 35 farmers were punished because of using tractors without licenses.<sup>268</sup> About public employment, for instance, as Helsinki Watch Report puts, of 300 employees in Komotini Nomark’s office, none of them were Turks, in all over the region three or four jobs were occupied by the Turkish origin Greek citizens who were dustmen or street cleaners.<sup>269</sup>

As a result, the ethnic philosophy behind the establishment of the Modern Greek state, its outcome of lack of civic citizenship, and the insecurity feeling had formed the basis of the Greek minority policies until 1990s. After the establishment of the Modern Greek state, the main objective of Greek governments have been the creation of homogeneous Greek nation with the unified language, religion and culture without any elements contrary to these requirements. Therefore, the

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<sup>267</sup> Poulton, *op. cit.*, p.183.

<sup>268</sup> Oran, *Türk-Yunan İlişkilerinde Batı Trakya Sorunu*, *op. cit.*, p.226.

<sup>269</sup> Helsinki Watch Report, “Destroying Ethnic Identity: The Turks of Greece”, *op. cit.*, p.37.

minority groups left in the borders of Greece were regarded as threat to national unity and security, and sought to be forcefully assimilated or expelled from the country by ethnocentric and exclusivist minority policies. These policies have been the main policy of Greek governments towards the minority in Western Thrace until 1990s; nonetheless the external factors such as relations with neighboring states, international and regional politics and the turmoil in Greek domestic politics caused temporary modifications in the Greek minority policy in different periods. As noted above, Greek governments in the détente period with Turkey followed an artificially liberal minority policy in Western Thrace. The bi-polar world and the alliance in the same bloc with Turkey forced Greek governments to liberalize their minority policies in that era. Yet, when the external factors had changed such as worsening of the bilateral relations with Turkey, lack of international sensitivity on minority protection during the Cold War period and the consideration of minority protection as a domestic jurisdiction of states entailed the re-shift of Greek minority policy to its idealistic state which was the assimilation or expulsion of the minority groups from Greece, and hence, minimizing the ‘other’ in the homogeneous Greek state. The most important Greek strategies used against the minority groups until 1990s were the denial of their ethnic identity, expropriation of their property, violation of their religious, economic, social and cultural freedoms and rights and deprivation from citizenship. The results of these Greek policies were striking. According to the statistics during the Lausanne Agreement, there were around 120.000 minority members in the Western Thrace with the average birth rate of 2-2.5%. When the birth rate is considered, it may be speculated that in 1990 there should be around 450,000 minority members in Western Thrace which was around 100.000. This means, about 350.000 minority members in Western Thrace were assimilated or forced to migrate by the exclusivist policies of Greece especially in the period between 1955 and 1990.

## CHAPTER 5

# CONTINUITY AND CHANGE IN THE GREEK MINORITY POLICY IN WESTERN THRACE AFTER 1990s

The beginning of the 1990s witnessed unprecedented fundamental changes in the international system which signified the onset of a new era in which the actors of modern system have gone through changes. In addition, the extraordinary progress of technology enabled the intensification of transportation and telecommunication facilities, and thus, the mobility of individuals and information were facilitated. Due to this transformation as Yagcioglu argues, together with the old technologies, the centralized, homogenizing, standardizing, modern nation-state is rapidly modifying to become less authoritarian and de-centralized, and the process of ‘globalization’ is rendering national borders more porous.<sup>270</sup> On the other hand, as the power of central authorities weakened, the regional or local groups (minority groups) and their distinctive characteristics gained importance which redirected the intellectual and political concerns from national homogeneity to ethnonational heterogeneity that is called ‘new tribalism’.<sup>271</sup>

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<sup>270</sup> Dimostenis Yagcioglu, “Nation States vis-a-vis Ethnocultural Minorities: Oppression and Assimilation versus Integration and Accomodation”, available at: [www.geocities.com/Athens/8945/minor.html](http://www.geocities.com/Athens/8945/minor.html) accessed on June 26, 2004, p.6.

<sup>271</sup> Anastasia Karakasidou, “Essential Differences: National Homogeneity and Cultural Representation in Four Recent Works on Grek Macedonia”, *Current Anthropology*, Vol.41, No.3, June 2000, p.416.

The altering trends noted above, obliged the authoritarian governments to transform into more democratic and liberal regimes to deal with more influential cultural groups and individual citizens.<sup>272</sup> Furthermore, by the unmatched extension of the information through the newly-developed satellite and internet technology, minority groups had more access to the international developments, and hence, organized themselves politically and socially which complicated the violation of minority rights for any state because of the fear from international reactions. Indeed, during the 1990s, states generally followed or “have to follow” more liberal policies towards their minority groups for the improvement of their international prestige, and the international organizations and NGOs came out to be more vocal about the violations of minority rights. Moreover, the issue of minority protection which was totally left to the domestic authority of the nation-states during the Cold War period, turned into an international phenomenon and subject of the international law. In addition, the focus of minority protection laws shifted from ‘negative’ to ‘positive’ rights of minority groups that means states are required not only to prevent discrimination and provide equal rights to the minority groups, but also to take ‘affirmative action’ to satisfy special needs of the minorities.<sup>273</sup>

Due to the effects of the post Cold War transformation on Greece, Greek governments have fallen into a dilemma between the constructed traditions and security concerns of the nation-building process and the pressure coming from the systemic forces of post-modern era. As noted in the Chapter 4, the basic elements of the Greek nation-building process were the ethnic-homogeneity and unity of the Greek lands. As Triandafyllidou states: “*Greek national identity has been reconstructed through the territorialization and politicization of ethnic and cultural traditions. Ethnic customs, linguistic ties and religious beliefs have been*

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<sup>272</sup> Yagcioglu, *op. cit.*, p.6.

<sup>273</sup> Baskın Oran, *Türkiye’de Azınlıklar: Kavramlar, Teori, Lozan, İç Mevzuat, İçtihat, Uygulama*, *op. cit.*, p.23.

*transformed into national sentiments.*"<sup>274</sup> Because of these traditions, myths and collective memories constructed in Greek identity, Greek population has very strong national and ethnical sentiments, and the notion of 'us' and 'others' is very influential in Greek society. Moreover, the insecurity feeling related with the regional rivalry and the lack of confidence towards the minority groups has mounted the negative sensitivity of the Greek society on minorities. Thus, even few positive words of the politicians or the government officials on minority rights entail the uproar of Greek public opinion against the improvement of the situation of minority groups which is identified with the end of national homogeneity and unity, and thus, the destruction of the basis of Greek national identity. The Greek media, the Orthodox religious establishment and the nationalist civil society organizations and intellectuals became the fiercest opponents of the traditional Greek identity and minority policies of Greece, and thus, advocated the continuation of the suppressive and exclusivist minority policies. On the other hand, the systemic transformations, the international covenants, the EU membership, non-governmental organizations on minority rights, organizations established by minority groups and closer bilateral relations with Turkey compelled Greece to shift its minority policies to a more liberal stance.

In the period after 1990s, inside the dilemma between these counter forces, Greek governments have sought to follow a policy which would not incite any side deeply, just like a mediator, and tried to establish a balance between these counter forces. This strategy led to the pragmatist policies based on the situation and the balance of power between opposite factors of the argument. By and large, Greek governments continued their exclusivist minority policy due to the implications of Greece's ethno-national ideology and identification. Alternatively, in this era, Greek governments have followed the strategy which has been to grant the adequate minority rights (negative rights) to these populations that would prevent their alienation from the larger society. By this strategy, Greek authorities aimed at

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<sup>274</sup> Anna Triandafylliou, M. Calloni, A. Mirakis, "New Greek Nationalism", *Sociological Research Online*, Vol.2, No.1, 1997, p.4, available at: [www.socresonline.org.uk/2/1/7.html](http://www.socresonline.org.uk/2/1/7.html), accessed on June 06, 2004.

providing the minimum standards for the minority groups which would hinder these groups from employing secessionist or other detrimental activities that is perilous for the security of the state and that would lead to the conflict between majority and minority. In contrast, when the international pressure about any issue on minority rights increased to such a degree that would damage Greek image in the international arena, the Greek government complied and carried on the necessary modifications in its minority policy without touching its essence; however, when the pressure coming from the international organizations are equivocal and the domestic Greek forces are influential, the Greek government dragged the issue and procrastinated as much as possible. As a result, in some aspects of the minority rights (especially on positive rights), such as ethnic identity, election of religious leaders, Greek policies continued without much change, however, in some aspects of the minority rights (especially on negative rights) such as equal social rights and economic rights Greece shifted to more liberal policies.

### **5.1 Factors behind the Continuation of Greek Minority Policy**

The factors for the continuation of the Greek minority policy favor the maintenance of the oppressive and assimilationist traditional policies of the Greek governments throughout the 19<sup>th</sup> and 20<sup>th</sup> centuries except the short period of détente between Greece and Turkey. These factors entail the harsh reactions from the Greek society against any move in Greece for the improvement of minority rights because they are suspicious about the objectives of the minority group and regard minority members as the collaborators of their kin-states who are seeking secession for the damage of the Greek security and territorial integrity. During 1990s, in numerous situations the Greek governments had to shift from their declared aims on minority rights because of these traditionalist factors. As Tsitselikis argues:

*Ideological stiffness and political impasses block any tendency to bring a real change on the topic. Even the signing of the Framework Convention on National Minorities of the Council of Europe in 1997 has been heavily*

*criticized by then majority deputies and the leadership of the PASOK government abandoned any attempt to ratify it or even open a relevant discussion.*<sup>275</sup>

The most important causes behind the classic Greek anti-minority stance are the ethnocentric philosophy behind the formation of Greek state and the nation-building process, the Greek security concerns, Greek media, Greek religious establishment, and Greek civil society and intellectuals.

### **5.1.1 The Greek Nation Building Process**

All the social groupings in the world no matter large or small require and demand conformity to the groups' norms to maintain a certain level of internal cohesion, and the members who violate the group rules are scolded, punished or ostracized.<sup>276</sup> On the other hand, the membership to any group gives its members security and power; thus, in some cases members with different characteristics gave up some of their individuality to conform to the group rules which is called 'voluntary assimilation' which is a mutually beneficial relationship.<sup>277</sup> Nevertheless, when the members with different traits are insisting on keeping their distinctiveness, which is the case between Greek State and the Turkish Minority in Western Thrace, they disturb the cohesion of the group and penalized. Nations, as the largest and 'imagined' groups, also require cohesion in an extreme form which is called 'homogeneity'. Yagcioglu exemplifies the extreme uniformity demands of the nations as:

*Citizens of the newly-formed nation-states were forced to speak the same language; they were even encouraged to speak the standard dialect of that language with the correct accent. And basically through the education system and mass media, both either state-run or state-controlled, the ruling nationalist elites launched social engineering project to metamorphose the heterogeneous populations of their countries into a unified community having the same historical symbols, deriving from the same ancestors, and,*

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<sup>275</sup> Konstantinos Tsitselikis, "How far have EU Policies Affected Minority Issues in Greece and Turkey", Nov 2004, p.2.

<sup>276</sup> Yagcioglu, *op. cit.*, p.2.

<sup>277</sup> *Ibid.*

*irrespective of social inequalities and class differences, pursuing the same national interests.*<sup>278</sup>

The same method of attaining the ideal ‘homogeneity’ went through in the Greek nation-building process. Both before and after the formation of the Modern Greek state in 1830, the Greek identity was reconstructed as a homogenous and unitary nation. The ethnicity including Orthodox Christianity and Greek language were determined as the basic requirements for ‘Greekness’ and the glorious history of ancient Greece, collective memories and myths on national struggles against invaders or enemies played an important role in the formation of the Greek nation.<sup>279</sup> Even, during the classical period, the Greek culture was ‘ethnocentric’, which had defined the Greek culture superior to the other cultures and the non-Greeks had regarded as the aliens or barbarians. On the other hand, Megal-i Idea was set as the basic aim of the Modern Greek state upon its establishment, and the main enemy against the realization of the Megal-i Idea was the Ottoman Empire and the Turkish Republic which had included more ethnic-Greek population than the newly-established Greek state.

As a result, the Muslim (later identified itself as Turkish) population living inside the borders of the Greek state and the Ottoman Empire as a whole were positioned as the ‘others’ and ‘enemy’, and the Greek identity began to be constructed in ethnic terms, and especially Muslims and the other Slavic minorities were excluded from the society whose lifestyles and culture were considered backward and their voluntary assimilation into the modern Greek State was impossible. The image of ‘others’ during the Greek nation-building process served to strengthen the image of ‘Self’, and as Brunnbauer argues: “*By constructing the image of ‘other’ (backward and infidel) and adopting active measures against it, the nation could project an image of itself more homogeneous than it really was.*”<sup>280</sup> Hence, the formation of conscription and national Greek army, the national education

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<sup>278</sup> *Ibid.*, p.3.

<sup>279</sup> Triandafylliou, Calloni and Mirakis, “New Greek Nationalism”, *op. cit.*, p.3.

<sup>280</sup> Brunnbauer, *op. cit.*, p.40.

system, judiciary, and the national church endorsed the national construction of Greek identity.<sup>281</sup> With the help of the Greek intellectuals and the educational system negative stereotypes against the image of Turks and Muslims were created such as barbarous and bloodthirsty.

Thus, because of the identification of ethnicity and national identity in Greece, the nationalist sentiments of Greek society are one of the most intensive in the world which led to the lack of civic citizenship, integrative democratic institutions and civil society. National pride related with the glorious past entailed the definition of relations related with ethnicity, and the minority groups (with different ethnicity) have been degraded and seen as obstacles against the ideal homogeneity of the Greek nation. Thus, any attempt of the Greek governments to improve the position of the minority groups in Greece has been perceived as a threat against the national unity and faced with great uproar in the Greek society.

### **5.1.2 The Regional Developments and Greek Security Concerns**

The extensive transformation began after 1990s led to the emerging of new security concerns related with the minority groups in Greece in addition to the historical rivalry and hostilities of the regional actors. The most important outcome of the transformation for Greece was the revival of nationalism and ethnic politics in the Balkan region. After the collapse of communist regimes in Eastern Europe and the Balkans, the effects of the superpower rivalry which had frozen the ethnic problems, had disappeared with the parallel rise of nationalism and irredentism.<sup>282</sup> The rise of ethnic politics accelerated the disintegration of multiethnic states in the region such as Yugoslavia, which caused the emergence of six new national states in the Balkans. Particularly, the foundation of Republic of Macedonia in 1991 complicated the ethnic minority concerns in Greece. After the claims of Macedonian State about the existence of the Macedonian minority in Greece, a

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<sup>281</sup> Niarchos, *op. cit.*, p.3.

<sup>282</sup> Van Coufoudakis, "Greek Foreign Policy in the Post-Cold War Era: Issues and Challenges", *Mediterranean Quarterly*, Vol.7, No.3, Summer 1996, p.29.

heated discussion and anxiety began about the territorial unity of the Hellenic Republic.<sup>283</sup> The Greek government argued that the names and national symbols adopted by the Macedonian government are a part of the Greek culture and the name of the region in Greece; hence, sustaining on these symbols is unacceptable by Greece. The Macedonian controversy led to the revival of Greek nationalism in 1990s by a spectacular mobilization of the Greek people both in Greece and in the diaspora communities.<sup>284</sup>

Besides, the ethnic conflict between the Serbians and Albanians in Kosovo was a special concern for the Greek government. The Albanian revolt in Kosovo against the Serbian control resulted in a civil war in the region in which the Greek government sided with the Serbians against its NATO and the EU allies because the relations between Albania and Greece have been tricky thanks to the minority issues. As Triandafyllidou points out: “*The large numbers of Albanian immigrants who illegally cross the Greek borders, on the one hand, and the problems arising from the existence of a Greek minority in the southern part of Albania, on the other hand, often increase the tension between the governments of the countries.*”<sup>285</sup>

Briefly, in the period after 1990s, the Balkans, which is one of the most ethnically mixed regions of the world, have gone through a process of re-ethnicization, and witnessed ethnic conflicts and wars. Thus, states in the region including Greece underwent a process of nationalism and returning back to the old traditional values which provide a sense of collective security.<sup>286</sup> The establishment of the independent Macedonia and the cultural heritage conflict with that state aggravated the nationalist policies of the Greek state towards all the minority groups living in Greece. The Greek government has carried on its policy of

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<sup>283</sup> Richard Clogg, *Minorities in Greece: Aspects of a Plural Society*, (London: Hurst Company, 2002), p.12.

<sup>284</sup> Triandafyllidou, Calloni and Mikrakis, *op. cit.*, p.1.

<sup>285</sup> *Ibid.*, p.6.

<sup>286</sup> *Ibid.*, p.9.

denying the ethnic identities of the minority groups because of the fear from the identification of the minority groups with their kin-states in the region as in the cases of Macedonian and Albanian minority groups, and thus, these concerns entailed the hardening of its minority policies after 1990s. The same concerns of the Greek government also applied to the Turkish minority of Western Thrace, which has been regarded as the tool of the Turkish governments' policies on Greece. Greek authorities became anxious about the influence of rise of ethnic politics in the Balkans on Turkish minority which was also attached to its ethnic roots with more enthusiasm in this period. Thus, the Greek government strived to prevent the sliding of minority groups to a more nationalistic or secessionist stance due to its insecurity feeling about its territorial integrity and national unity in the region.

### 5.1.3 The Greek Media

As noted above, the minority issue is one of the most sensitive topics in Greece. As Papanikolatos states, the Greek democracy is weak and feels insecure when it comes to minority rights, and giving speech about the Turkish or Macedonian minorities is perceived as near-treason which ends up with serious criticisms.<sup>287</sup> This sensitivity of the Greek society deeply affects the contents of the Greek media which involves in nationalistic and ethnocentric views on minority issues. The hate-speech against the minorities is often published in the Greek newspapers; however the interviews supporting the improvement of the situation of minority groups are censored or not given media coverage. For instance, on July 23, 1999, three Muslim MP's and thirteen minority non-governmental organizations referred a 'public appeal' to the Greek Parliament for the recognition of national minorities on the occasion of the 25<sup>th</sup> Anniversary of Restoration of Democracy in Greece.<sup>288</sup>

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<sup>287</sup> Nafsika Papanikolatos, "Minorities: Sacrificial Lamb at Grek Democracy's Silver Jubilee", *Minority Rights Group-Greece*, 1999, p.1, available at [www.greekhelsinki.gr/english/articles/aim29-7-99.html](http://www.greekhelsinki.gr/english/articles/aim29-7-99.html) , accessed on 08.12.2003.

<sup>288</sup> The full text of the appeal is available at: [www.minelres.lv/minelres/archieve/07261999-10:35:49-13324.html](http://www.minelres.lv/minelres/archieve/07261999-10:35:49-13324.html) accessed on 28.03.2005.

The following day, the Greek media condemned the appeal, attributing it to the Turkish governments' plans on Western Thrace.<sup>289</sup> As Hormovitis puts:

*Kathimerini writes that 'an unprecedented provocation, with penal implications, against Greece was prompted yesterday by unknowns who are apparently playing Ankara's game... The suspicious intentions of the instigators of this public appeal become obvious from the fact that the three minority MP's denied that they had known, or taken part in, that act.' Commenting on the same issue, Ta Nea states: 'the letter has been compiled and promoted by the representatives of an NGO which has repeatedly attempted to cause similar problems... Its aims are not to improve the living conditions of the Muslim minority, but to stir up non-existent minority issues...'*<sup>290</sup>

In addition to the strong nationalist feelings, another motive behind the anti-minority stance of the media is the increase in daily sales or ratings. As Hadjidimos argues the news on hard politics especially about Turkey or minority groups in Greece would sell more:

*The news on other issues rather than hard politics or security problems regarding Turkey 'would not sell'. As has been outlined above, the media market is highly competitive, and with 95% single copy sells, newspapers have to win their readership with exciting headlines on a day-to-day basis. Nationalist slogans sell fairly well.'*<sup>291</sup>

As a result, the Greek media applies to the extreme nationalist and even xenophobic headlines about the news related with the minority protection fueling the nationalist and exclusivist sentiments of the Greek society. The media criticizes severely even the members of the Greek government in case of any words spoken for the improvement of minority protection. For instance, Foreign Minister of Greece, George Papandreou, gave a speech in July 1999 that emphasized the right of minority groups for self-identification which is their basic right according to the international treaties signed by Greece:

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<sup>289</sup> Dimitris Hormovitis, Vaso Sirinidou, Dia Anagnostou, "Stereotypes of Domestic Minorities and Neighboring Peoples in the Greek Press", April December 1999, p.2, available at: [www.vlachophiles.net/gr-press99.htm](http://www.vlachophiles.net/gr-press99.htm) , accessed on 31.01.2005.

<sup>290</sup> Hormovitis, Sirinidou and Anagnostou, *op. cit.*, p.2.

<sup>291</sup> Katharina Hadjidimos, "The Role of the Media in Greek-Turkish Relations", Robert Bosch Stiftungskolleg für Internationale Aufgaben Programmjahr 1998/1999, p.18.

*If a Greek citizen feels that he belongs to some ethnic group, international treaties allow this. And Greece is a country that respects international agreements... No one challenges the fact that there are many Muslims of Turkish origin. Of course the treaties refer to Muslims. If the borders are not challenged, it concerns me little if someone calls himself a Turk, a Bulgarian or a Pomak.*<sup>292</sup>

After the speech of the Foreign Minister, a unanimous and verbally violent reaction enriched with xenophobic and other hate speech and even some defamatory personal attacks covered in the Greek media.<sup>293</sup> Apogevmatini titled: “*Minister, Pull Yourself Together!*”, and commented: “*They are Turkish-speakers, and not of Turkish nationality, as Ankara calls them. Many of the Muslims of Western Thrace are Greek Christians who were converted to Islam.*”<sup>294</sup> Elephteros Typos also denounced the speech: “*The efforts of the Ministry of Foreign Affairs to convert the Muslim minority of Thrace into a Turkish one are not only the product of the American guidelines. Instead of taking measures for strengthening the economy of Thrace and the Christian population, which would give a peaceful and effective answer to Turkish expansionism, they have completely abandoned Thrace.*”<sup>295</sup> The newspaper Ethnos used a diminutive language: “*Little George has announced a shift in foreign policy, has not planned in accordance with the Greek national interests, but only in conformity with the new plans of the US and NATO.*”<sup>296</sup>

In a few words, the Greek media still advocates the traditional minority policies of Greece which denies the existence and self-identification rights of minority groups. In addition, the Turkish minority in Western Thrace is still regarded as the policy tool of Turkish government which is a reflection of the security concerns of Greece. Furthermore, the basis of the constructed ideal Greek identity, the ethnic

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<sup>292</sup> “Minorities and Media in Greece”, *Minority Rights Group – Greece*, Article XIX/Minority Rights International, May 2000, p.2.

<sup>293</sup> *Ibid.*, p.3.

<sup>294</sup> Hormovitis, Sirinidou and Anagnostou, *op. cit.*, p.3.

<sup>295</sup> *Ibid.*

<sup>296</sup> *Ibid.*

homogeneity of the Greek nation is emphasized in the columns of the Greek newspapers.

#### **5.1.4 Greek Religious Circles**

The Greek-Orthodox religion is one of the main components of the Greek nationalism and identity. The special status of the Greek Orthodoxy is also confirmed by the Greek Constitution, the third article of which establishes the Eastern Orthodox Church (Greek Orthodoxy) as the ‘prevailing’ religion in Greece.<sup>297</sup> As a state religion, the Greek Orthodox Church enjoys several privileges and uses this privileged position as a mean to intervene in governmental issues and national arguments. The dominant position of the Greek Orthodox Church has been a source of discrimination towards the other religious groups including the Muslims of Western Thrace. As Paskal Milo points out: “*The ruling position of the Orthodox Church and its dominant role in the life of Greek society has contributed to the creation of an isolating and negative spirit and practice for every religious minority in Greece, to a drastic restriction of the rights in this field.*”<sup>298</sup>

On the other hand, the bishops of the Greek Orthodox Church also advocate the nationalistic stance against the rights of minority groups and argue that the homogeneity and the security of the Greek nation is threatened by the religious minorities. The extent of the political power of the Orthodox Church in Greece has revealed when the Simitis government opted to remove the religion section from the identity cards in June 2000. The Greek Orthodox Church fiercely opposed the removal of religion section from the identity cards, and the Archbishop

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<sup>297</sup> “International Religious Freedom Report –Greece”, Bureau of Democracy, Human Rights and Labor, 2001, p.1, available at: [www.state.gov/g/drl/rls/irf/2001/5653.htm](http://www.state.gov/g/drl/rls/irf/2001/5653.htm) , accessed on March 30, 2005.

<sup>298</sup> Paskal Milo, “The Constitutional Rights and Minorities in the Balkans: A Comparative Analysis”, *Perceptions*, Sept.-Nov. 1997, p.23.

Christodoulos stated that: “*Those supportive of separation of the state and church do not deserve their Greek name and identity. They are ‘Greeklings’.*”<sup>299</sup>

Moreover, the clergy also supports the assimilationist policies in Western Thrace against the Turkish minority. For instance, the Church has been organizing campaigns in Western Thrace to balance the high birth rate of the Muslim population which is considered as a threat against the existence of Christian population. In March 1999, the Church council decided to deliver economic aid to the Christian families inhabiting in Western Thrace who have three or more children.<sup>300</sup> As Hormovitis points out the initiative of the clergy for higher birth rate in Western Thrace as: “*The Metropolitan Bishop Damaskinos stresses that Greece has become a nation of the old and dying rather than of the young and newborn: “We have forgotten how to perform weddings and christenings, we now only perform funerals and commemorative services.”*”<sup>301</sup>

Furthermore, according to the Greek Law, if anyone wants to open a place of worship other than Orthodox religion, he has to obtain a permit from the local bishop first, and then the approval of the Ministry of Education and Religious Affairs.<sup>302</sup> Considering the clergy’s stance on minority rights, obtaining the permit for opening a place of worship is a long and difficult process for minority groups. In addition, the Greek Orthodox Church is supported by the Greek government in terms of subsidies and tax exemptions; in contrast, the Muslim and the other religious minorities are self-supporting which entails religious discrimination in Greece. Due to these privileges and superiority of the Greek Orthodox Church, the clergy has the power to involve in political matters in Greece, especially related with the religious minorities. They basically advocate the continuation of the

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<sup>299</sup> Dionyssi Goussetis, “National Identity and Civil Society in Greece”, AIM Athens, 23 May 2000, available on: [www.aimpress.ch/dyn/trae/archive/data/200005/00523-003-trae-ath.htm](http://www.aimpress.ch/dyn/trae/archive/data/200005/00523-003-trae-ath.htm) , accessed on 15.03.2005.

<sup>300</sup> Hatipoğlu, *op. cit.*, p.29.

<sup>301</sup> Hormovitis, Sirinidou and Anagnostou, *op. cit.*, p.4.

<sup>302</sup> “Religious Intolerance in Greece”, available at: [www.religioustolerance.org/rt\\_greec.htm](http://www.religioustolerance.org/rt_greec.htm) accessed on 30.03.2005.

traditional Greek minority policies of suppression and assimilation because minority groups are looked upon as the agents of neighboring countries and threat against national unity and security.

### 5.1.5 The Intellectuals and Civil Society

Instead of the prosperity of the ancient Greek civilization, the liberal democratic culture and its institutions are a brand-new phenomenon in Modern Greek State. Due to the lack of liberal democratic culture in Greece, the intellectuals and the civil society are less liberal and rationalist than they are in the West, and they prioritize their national sentiments and ethnicity instead of the liberal democratic aspirations.<sup>303</sup> Thus, the Greek intellectuals have been supporting the ethnocentric and exclusivist homogenization and uniformity process of the Greek nation by utilization of glorious Greek history and constructed stereotypes instead of democratic and liberal reforms unlike the intellectuals in the West. For instance, Mikis Theodorakis who has known as working for the Greek-Turkish friendship gave a speech on the day of commemorating Greek independence from the Ottoman Empire, March 25: *“There is an opposition between two worlds – the Greek and the other. And when I say ‘the other’, I mean collectively the Eastern despotism, the Jewish monotheism, the Roman militarism and the Western authoritarianism.”*<sup>304</sup> Accordingly, minority groups are denied or negated by the Greek intellectuals as stated by Dimitras:

*Greeks have always maintained a superior civilization in the Balkans, (...) the dominant ethnological, historical, and political position of the overwhelming majority of Greek scholars who identify ethnicity with nationality. This academic racism delegitimizes these ‘other’ social or ethnic groups, denying or negating their cultural and historical validity.*<sup>305</sup>

In addition, the Greek intellectuals who put forward ideas conflicting with the dominant ideology on minority rights have the risk to be punished by the

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<sup>303</sup> Panayote Elias Dimitras, “Nationalism and Intolerance among Greek Intellectuals”, *Greek Helsinki Monitor & Minority Rights Group – Greece*, Jan 1996, p.1.

<sup>304</sup> Goussetis, *op. cit.*, p.1.

<sup>305</sup> Dimitras, *op. cit.*, p.2.

respective courts. As Dimitras states: “*National discourse becomes absolute when it does not tolerate disagreements nor challenges. Whoever disagrees with the dominant policy runs the risk – as it happened with the issue of the recognition of Skopje-, if he is an ‘unknown student to go to prison and if he is a ‘well-known’ person to be publicly accused as a traitor.*”<sup>306</sup> Therefore, the intellectuals who have counter ideas prefer to stay silent, and the others prefer firm declarations that would be backed by the Greek society. For instance, the chairman of the Department of Sociology at Panteios University, Prof. Sarris, commented on the appeal of minority MP’s that: “*Anyone who feels a Turk should move to Turkey.*”<sup>307</sup>

Lastly, a survey was carried out among 1,200 people from the Greek society financed by the EU in 1993, whose results were showing the degree of intolerance constructed in the minds of Greek society about minority groups. According to the results of the survey, “*only 21% of the Greeks considered tolerance as one of the qualities parents should try to encourage in their children (which is between 42% and 62% in the other EU countries), and Greeks also had the highest percentage of intolerance towards people with different nationality, race or religion (28% for Greeks; 6% - %27 for the other EU countries).*”<sup>308</sup> Dimitras gives the detailed results of the survey:

- *90% of Greeks believe that ‘foreigners in our country take our jobs away.’*
- *84% believe that ‘many of the foreigners who live in our country constitute a public hazard.’*
- ***89% of Greeks have an aversion to Turks.***
- *76% of Greeks have an aversion to Albanians.*
- ***62% of Greeks have an aversion to Western Thrace Turks and***

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<sup>306</sup> *Ibid.*

<sup>307</sup> Papanikolatos, *op. cit.*, p.5.

<sup>308</sup> Dimitras, *op. cit.*, pp.4-5.

- 52% want 'them all to go to Turkey'.
- 57% of Greeks have an aversion to Jews.
- 55% of Greeks have an aversion to Gypsies and %48 believe that 'even if their living conditions improve, the Gypsies will go on being dirty'.
- 38% of Greeks have an aversion to Slavs.<sup>309</sup>

Namely, the results of the survey also support the anti-minority attitude of the Greek society. Both Greek intellectuals and civil society are promoting the national sentiments of the Greek society and the continuation of traditional Greek minority policies instead of advocating the democratic and liberal steps to be taken by the Greek government which are the main functions of the intellectuals and civil society in the Western European countries.

## **5.2 Factors behind the Change of Greek Minority Policy**

The factors supporting the shift of traditional Greek minority policy advocate the liberalization and democratization of the Greek minority policies to satisfy the requirements of the international standards set by the inter-governmental organizations throughout the 1990s. As noted before, the international sensitivity on minority rights protection peaked because of the systemic and regional transformations, and the authority of the state for the administration of its minorities began to be shared by the international governmental and non-governmental organizations. On the other hand, minority groups began to advocate their cause in a more organized fashion in relation with the international organizations. As a result, governments, unable to resist the pressure coming from the international and domestic organizations for the protection of minority rights, commenced to shift to more liberal minority policies that would improve the social, economical and political situation of minority groups. In addition, in the Greek case, the establishment of the modernist Simitis government and its modernist foreign minister, George Papandreou, helped the acceleration of the initiatives for

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<sup>309</sup> *Ibid.*

the liberalization of the minority policies which faced the fierce criticisms of traditionalist groups in Greece, and had to step back from taking further steps to grant positive rights of the Turkish minority.

### 5.2.1 The Systemic Changes

During the bipolar Cold War period, the minority rights protection was totally left under the jurisdiction of respective nation-states with the disinterest of the international actors. In the beginning of 1990s, the world witnessed fundamental systemic changes which were invoked by the collapse of the Eastern bloc. Thus, the formerly suppressed minority groups inhabited in the Eastern bloc states began to “*either fight to assert their rights, build parallel structures, appeal for support to a kin-state, or seek autonomy or even secession*”.<sup>310</sup> This transformation was felt deeply in the Balkans which is, ethnically, one of the most mixed regions of the world. The ethnic clashes in Yugoslavia and the ‘ethnic cleansing’ operation of the Serbs in Bosnia-Herzegovina focused the world’s attention on the issue of minority protection which led to the faster moves of the international community to produce new norms and rules to address and resolve conflicting claims.<sup>311</sup>

Another problem that attracted world’s attention to the region was the ethnic homogenization policy of Bulgarian Communist Party began in mid-1980s. The Bulgarian government declared the Turkish minority in Bulgaria to be Islamized and Turkified Bulgarians and started the policy of forced assimilation.<sup>312</sup> The forced assimilation measures included the changing of names of the Turkish minority members to Slavic-Christian names, banning of the usage of Turkish language, changing of the Turkish place names, which ended up with mass exodus of the Turkish minority from Bulgaria, imprisoning and even death of numerous

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<sup>310</sup> Kemp, *op.cit.*, p.3.

<sup>311</sup> Maria M. Kovacs, “Standards of Self-Determination and Standards of Minority Rights in the Post-Communist Era: A Historical Perspective”, *Nations and Nationalism*, Vol.9, No.3, 2003, p.433.

<sup>312</sup> Ali Eminov, *Turkish and Other Muslim Minorities in Bulgaria*, (C. Hurst and Co. Ltd., 1997), pp.85-87.

minority members.<sup>313</sup> The inhumane results of the Bulgarian assimilationist minority policy between 1984 and 1989, focused the attention of the international governmental and non-governmental organizations on minority rights to the region including Western Thrace, and more delegations from the minority protection organizations commenced to visit Western Thrace region to prevent the occurrence of similar scenes and make heard the assimilationist policies of the Greek government towards Turkish minority in the region.

In addition, the triumph of the democratic and liberal bloc against the Eastern bloc entailed the spread and domination of democratic and liberal ideas around the world which affected all the authoritarian governments of the world on minority rights to liberalize their minority policy. Furthermore, the empowering of liberalism and the sliding of power from central governments to the civil society entailed the establishment of non-governmental organizations which are the initiations of society and means of minority groups to reach the international governmental organizations.

In fact, considering the other side of the story, the reason behind the strong nationalism of the minority groups is the lack of democratic means by which they can enjoy their basic rights and interests. Hence, as Deon Goldenhuys argues: “*The situation is aggravated when the communities in question are also minorities, and are feeling powerless to secure what they perceive to be their reasonable interests through democratic means.*”<sup>314</sup> In addition, the development of technology and the mobilization of information empowered the minority groups who began to acquire the information of progress in the other liberal democratic states and the sensitivity of international organizations. Indeed, by the help of technology they gained the ability to address the violation of minority rights in any state in several minutes to the international organizations which began to create great criticisms about the violator state. Accordingly, the violation of minority rights or any attempt to curb

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<sup>313</sup> Tahir Tahir, *Minority Policies in Bulgaria: Continuity and Change*, (Ankara: Ortadoğu Teknik Üniversitesi Unpublished Master Thesis, 2003), pp.75-77.

<sup>314</sup> Goldenhuys and Rossouw, *op. cit.*, pp.1-2.

the rights of minority groups became more costly for states which commenced to loose their domestic jurisdiction on the minority protection to the new prominence of the international organizations. The minority groups- for the better announcement of their problems- established civil initiations and organizations that have been tracking the policies of respective governments and representing the interests of minority groups in the international arena.

Related with these systemic changes, the duty of states towards their minorities shifted from granting the negative rights to giving the positive rights of minority groups under the supervision of the international agreements. Greece, as a state hosting several minority groups, affected deeply from these systemic changes. The international pressure on Greece for the liberalization of minority policies and the improvement of the situation of minority groups is increased to such a degree that Greece has become one of the most criticized states of Europe for its strong ethno-nationalistic minority policies and had to reconsider its traditional minority policy. Similarly, the Turkish minority in Western Thrace started to organize in itself to make use of the democratic means to have its sound heard in international arena. Against the violation of their minority rights by the Greek government, the Turkish minority organized in terms of Associations both in Greece and other countries (Turkey, Britain, Germany and Australia), and applied to the interested international governmental and non-governmental organizations.

### **5.2.2 Other International Governmental Organizations and the EU**

As focused in Chapter 4, the role of international governmental organizations on the protection of minority groups gained importance in the beginning of 1990s. The UN, the Council of Europe, the OSCE and the EU published several conventions and declarations on the issue of minority rights. Greece, as a member of these four international organizations, has a direct liability to ratify and obey the provisions of the agreements and conventions of these organizations. The Conventions agreed by these international organizations mainly aimed at prevention of the discrimination and mal-treatment applied by the governments

towards the minority groups, and provide several limited special rights for the development of their culture.

The UN adopted the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities in 1992, which stresses the rights of the minority groups to enjoy their own culture, establish their own institutions and associations, and duty of the states to ‘protect ethnic, cultural, religious and linguistic identity, and maintain equal rights of the minorities. The OSCE agreed on the Copenhagen Document and Charter of Paris in 1990, Moscow Summit in 1991 and Paris Summit in 1992. In all of these documents, any attempts of the nation-states that are related with the involuntary assimilation of minority groups are prohibited. The principles of equality, non-discrimination, establishment of minority institutions, and the participation to decision-making are accepted. In addition, the Council of Europe adopted the most extensive Convention ever adopted on minority rights, the Framework Convention for the Protection of National Minorities, in 1995, which is both politically and legally binding on all of its signatories. The Framework Convention for the Protection of National Minorities is signed by the Greek government but it is still not ratified by the Greek Parliament. Nonetheless, the reluctance of the Greek government to refer the Framework Convention to the Parliament for ratification became a source of endless criticism coming from the Council of Europe, the EU and the NGOs.

On the other hand, the membership of Greece to the EU, realized in 1981, had very limited direct effects on the Greek minority policy. The most important reason behind the limited effect of the EU is the lack of clear legal instruments for the protection of minority groups living in the borders of the EU. Namely, as Tsitselikis states: “*There is no clear legal obligation for the member states of the EU on minority protection*”.<sup>315</sup> There are no legally binding laws on minority rights instead of general intentions of non-discrimination and equality, and respect for the cultural, religious and linguistic diversity of Europe which are not legally

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<sup>315</sup> Konstantinos Tsitselikis, “How far have EU Policies Affected Minority Issues in Greece and Turkey?”, 2004, p.1.

binding on the member states of the EU.<sup>316</sup> Ironically, when policies of the EU on minority protection in the candidate states or to be candidate states are considered, the protection of minority rights is explicitly included in the prerequisites for membership. As Tsilevich argues the EU is criticized for applying ‘double standards’:

*Minority rights have become an important item on the EU's external policy agenda in its relations with the new democracies of candidate states, but have not hitherto featured in internal policy. This has led to the charge of double standards on minority rights, which has weakened the credibility of the EU's position. The question is how far the EU can insist on minority rights for others without first putting its house in order?''<sup>317</sup>*

The indecisive attitude of the EU on adoption of legal instruments for the protection of minority groups in its member states entailed the reluctant policies of the EU member states to act on improving minority rights. For instance, as Tsilevich exemplifies:

*As of July 2001, only four of the Council of Europe's 43 members have not signed its strongest instrument in this area, the Framework Convention for the Protection of National Minorities. Two of these, Belgium and France are EU members, and one of them is an EU candidate (Turkey). Of seven signatories who have not yet ratified the Convention, four are EU members (Greece, Portugal, the Netherlands and Luxembourg).''<sup>318</sup>*

In spite of the lack of legal instruments in the EU on minority protection directly, the politically binding directives on minority rights are gaining importance which led to the emphasis on minority protection in the EU. Especially, by the Amsterdam Treaty and Maastricht Treaty, the respect for liberal democracy and human rights are accentuated, and the European Council is enabled to take appropriate action to combat discrimination based on racial or ethnic origin, and religion.<sup>319</sup> Also, the EU Council Directive 2000/43 on the principle of equal

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<sup>316</sup> *Ibid.*

<sup>317</sup> Tsilevich, *op. cit.*, p.6.

<sup>318</sup> *Ibid.*, p.5.

<sup>319</sup> Gaetano Pentassuglia, “The EU and the Protection of Minorities: The Case of Eastern Europe”, *EJIL*, Vol.12, No.1, 2001, p.6.

treatment between persons irrespective of racial or ethnic origin aimed at “laying down a framework for combating discrimination on the grounds of racial or ethnic origin and taking necessary action to combat racism and xenophobia in the member states”.<sup>320</sup> In addition, the European Court of Human Rights has a significant effect on the minority policies of the member states with its decisions about the applications coming from the minority groups. In a word, the EU is exercising the task of ‘calming down’ of the strict national policies of the EU members such as Greece instead of directly punishing the violator state by a legal framework on minority protection.

### **5.2.3 Non-Governmental Organizations**

The non-governmental organizations (NGOs) are the voluntary and non-state organizations initiated by self-help individuals for realization of a purpose. The NGOs on minority rights are established for the purpose of raising the attention of international actors for the protection of minority rights, and establishing pressure on the violator states to keep up their liabilities on minority protection. Namely, the NGOs are mainly monitoring mechanisms observing the compliance of states to their obligations under international conventions and warning mechanisms in case of a violation by keeping the minority issues on the international agenda.<sup>321</sup> The most frequent means that are used by the NGOs to inform the international actors are the preparation of reports and publishing of articles and books. The most important NGOs related with the minorities in Greece are Helsinki Watch, International Helsinki Federation, Human Rights Watch and Minority Rights Group.

In case of Western Thrace and minority rights of Greece, these NGOs published numerous articles and reports after 1990’s, that warned the Greek governments about the violation of the minority rights in Western Thrace; made the issue heard

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<sup>320</sup> Council Directive 2000/43/EC of 29 June 2000, *Official Journal of the European Communities*, 19.07.2000, p.24.

<sup>321</sup> Goldenhuys and Rossouw, *op. cit.*, p.17.

in international circles and recommended liberalization on minority policies of the Greek governments. For instance, the Helsinki Watch Report called ‘Destroying Ethnic Identity’ was prepared in 1990 in which the abuses of the minority rights of the Turks in Western Thrace by the Greek government were enumerated in the beginning, and at the end of the report, and the policy recommendations were listed such as:

- *Acknowledge the existence of the Turkish minority and grant them all the civil and political rights,*
- *Repeal the law depriving the minority of citizenship,*
- *Accord the Turkish minority freedom of expression, including access to radio, television and publications from Turkey*
- *Provide the Turkish minority with freedom of religion, including the selection of muftis...<sup>322</sup>*

The report of the Human Rights Watch, ‘The Turks of Western Thrace’, also included the continuing violations of the Greek government, the positive steps taken by the Greek State, the policy recommendations to Greece, to the EU, the OSCE and the US. As an example of raising the attention of the international actors, the Human Rights Watch recommended to EU:

- *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 EU as a whole,*
- *Ensure the annual EU transfer to Greece, of 387 € per person, invested in and used for the needs of the Turkish minority,*
- *Monitor the situation of the minority and publicly report on findings of discrimination...<sup>323</sup>*

Furthermore, the Greek Helsinki Monitor and Minority Rights Group supported the Public Appeal of the Turkish Minority on July 23, 1999, which requested the recognition of the existence of Turkish and Macedonian minorities in Greece, the

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<sup>322</sup> A Helsinki Watch Report, “Destroying Ethnic Identity: The Turks of Greece”, *op. cit.*, p.43.

<sup>323</sup> Human Rights Watch Report on Greece, “The Turks of Western Thrace”, *op. cit.*, p.2.

ratification of the Framework Convention for the Protection of National Minorities and the implementation of international documents from the Greek government.

As a result, the NGOs which were empowered after the end of Cold War have become the agents of spread of democracy and liberalism in the nationalistic states such as Greece by using the power of civil society, media and international organizations. In Western Thrace case, the NGOs worked as the catalysts for change, pushing, pressing and provoking the Greek government and inter-governmental bodies for the improvement of the situation of the Turkish minority in the region and the shift of Greek minority policy to a more liberal and democratic level.<sup>324</sup>

#### **5.2.4 The Organizations of the Turkish Minority in Western Thrace**

Before the end of 1980s, the minority in Western Thrace was virtually unorganized instead of one or two important Associations. Despite the minority rights violations of the Greek governments especially in 1960s and 1970s, there wasn't any influential minority organization to make them heard in the international circles. By the end of 1980s, the Turkish minority in Western Thrace commenced to organize itself mainly in terms of 'Associations' not only in Greece, but also in Turkey, Britain, Germany, Australia and several other countries. Today, the Turkish minority has a wide network of NGOs in terms of associations, and most of the Associations of Turkish minority are working under the 'Federation of Western Thrace Turks in Europe' which is composed of 31 associations across Europe.<sup>325</sup>

The minority NGOs are functioning as bridges between the minority group and the Greek state, the international organizations in Europe and Turkey. The most important objective of minority NGOs is to draw attention of the international

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<sup>324</sup> Philips, "Introduction to the World Directory of Minorities", *op. cit.*, p.4.

<sup>325</sup> OSCE Human Dimension Implementation Meeting, Warsaw, 6-7 October 2003, the speech of Western Thrace Minority University Graduates Association, available at: <http://groups.yahoo.com/group/balkanhr/message/6074>, accessed on 01.12.2003.

community, using the democratic ways, to the violations of the rights of Turkish minority in Western Thrace by the Greek government.<sup>326</sup> By voicing and advocating the rights of Turkish minority, the minority NGOs has put an international pressure on Greece to change its suppressive and assimilationist minority policies. For this end, the NGOs are contacting the members of the European Parliament, meeting with other officials from different international institutions, organizing the lobbying activities such as lobbying the members of parliaments of European states, organizing press conferences for the media, issuing press releases for the newspapers, publishing magazines about the events in the area, and organizing panels and conventions by bringing the academicians and journalists to discuss the problems occurring in Western Thrace.<sup>327</sup> In addition, these minority NGOs are also supporting the development and enrichment of the culture of Turkish minority in Western Thrace, and aiding the educational and religious institutions. The other influential method used by the NGOs after the beginning of 1990s is to refer the acts of the Greek government violating the minority rights to the European Court of Human Rights, which has generally taken decisions in favor of the Turkish minority and decided that the Greek government had violated the rights of the minority group. Only in the cases in which the domestic judicial procedure has not completed, the ECHR refused to examine the issue.

The most important Associations of the Turkish minority are Western Thrace Turks Solidarity Association established in Istanbul, and issuing the magazine called 'Batı Trakya'nın Sesi' on the developments of the region; Western Thrace Turkish Minority Solidarity Associations Federation established in Germany, and lobbying on the EU members; Turkish Union of Xanthi and Komotini Turkish

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<sup>326</sup> *Ibid.*, p.2.

<sup>327</sup> Mehmet Dükkancı, "The NGOs and INGOs Related with Western Thrace Turkish Muslim Minority Society, Their Role, Problems and Their Future", available at: [www.geocities.com/dukkanci/gat98/gatmakale\\_1.htm?200522](http://www.geocities.com/dukkanci/gat98/gatmakale_1.htm?200522) , accessed on 22.03.2005.

Youth Association established in Western Thrace, and organizing cultural and social activities in the region.<sup>328</sup>

In terms of political organization, the Turkish minority has not established their own political party. In the beginning of 1990s, the minority group participated in the elections by its independent candidates in Komotini and Xanthi, and Dr. Sadık Ahmet and Ahmet Faikoğlu were elected as the first ‘independent’ minority MPs of Greece. However, before the next elections, the Greek government enacted the new election law in November 1990 which ordered the placing of 3% national threshold for all candidates. New national threshold law meant that the members of the minority group could not be elected MPs as an independent candidate or as the minority party’s candidate because the total population of Turkish minority in Greece was around 1%. Thus, since 1990, the Turkish minority’s candidates have been added to the lists of main political parties such as PASOK and New Democracy in the region and at least two or three minority MPs enter the Greek Parliament as PASOK or New Democracy MPs. However, the election law of 1990 prevented the formation of a powerful minority party of Turks in Western Thrace due to the requirement of national threshold.

In brief, the Turkish minority’s NGOs facilitated the organization of the minority in Western Thrace and encouraged them to protect their rights by democratic means such as ECHR and other international institutions. Hence, since the beginning of 1990s, the minority in Western Thrace began to present more unified reactions against the suppressive and exclusivist policies of the Greek authorities by meetings and demonstrations. On the other hand, the minority NGOs have been drawing the attention of the international community by voicing the problems of the minority in international institutions.

### **5.2.5 The Bilateral Relations of Greece and Turkey after mid-1990s**

The bilateral relations of Turkey and Greece had been very strained since the end of the détente period in mid-1950s. In 1990s the relations became wavy related

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<sup>328</sup> *Ibid.*, pp.3-9.

with the problems of Cyprus, the Aegean Dispute, regional developments, and PKK issue. In spite of the crisis such as Kardak, Ocalan case and S-300 missiles, the Greek government shifted its policy towards Turkey to a friendlier stance after mid-1990s because of several systemic and regional reasons.

First of all, the prestige of the Greek state in international arena declined sharply during 1990s because of its problem-creating policies. For instance, during the Yugoslavian War, the Greek government supported the Serbian government because of its historical ties with Serbia against the NATO and the EU decisions, and criticized by the European governments for allying with the aggressors and breaching the UN embargo on Serbia. Furthermore, the protests of the Greek government and its claims of expansionism of the newly established Republic of Macedonia, which is a relatively weak state, decreased the reliability of Greece among the international community.<sup>329</sup> Another example is the Kardak Crisis emerged in January 1996. Greece and Turkey came to the brink of war because of two useless islets in the Aegean Sea which was alleviated by the mediation of the US. The last but not the least instance that damaged the image of the Greek State was the support of the Greek government to Abdullah Ocalan, the leader of the terrorist organization, PKK. Abdullah Ocalan was caught in Kenya while going to the airport after his stay in the embassy of Greece. By this event, the support of Greek government to the terrorist organization (on the terrorist list of the EU and the US) was proven, and three nationalist ministers of the Greek government were replaced with the more liberal ones (one of which was Georgos Papandreou). As a result of these events, the Greek government was severely criticized by the European and the US governments and its image was damaged as a terrorism supporter and problematic state. Thus, by approaching to Turkey, Greek government yearned for the changing of its bad image in the international arena.

Secondly, the Greek government wanted to increase the pressure on the Turkish government for a solution on the conflicting issues by taking the support of the EU

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<sup>329</sup> Birgöl Demirtaş Coşkun, “Ankara-Atina İlişkilerinde Son Dönem: Değişenler ve Değişmeyenler” in *Türkiye-Yunanistan Eski Sorunlar, Yeni Arayışlar*, Birgöl Demirtaş Coşkun ed. (Ankara: Avrasya Stratejik Araştırmalar Merkezi Yayınları, 2002), p.190.

in the Greek side. For this end, the Greek government lifted its veto on the candidacy of Turkey for joining the EU, and succeeded in taking the support of the EU against Turkey on the issues of Cyprus and other disputes.

Thirdly, the Greek government had to accomplish certain economic reforms and reach several economic targets for the economic unification with the EU before the change of the currency to Euro. However, the most important obstacle in front of the economic development of Greece was the higher shares divided for the defense budget. To limit the defense budget, and remove the threat conception, Greek government had to start a *détente* period with Turkey.<sup>330</sup>

In addition, the close cooperation of the governments of Greece and Turkey after the devastating earthquakes of August 17-Kocaeli and September 07- Athens, the idea of rapprochement between two countries has become more popular also in the public opinion, and the NGOs for the friendship of Turkey and Greece have turned out to be more active to prepare conferences, concerts and other activities. As a result, a new period of *détente* started between Turkey and Greece at the end of 1990s. The *détente* of Greece and Turkey reflected to Western Thrace as one of the factors that motivated Greek government to follow more liberal minority policy in the region. The visit of the Turkish Prime Minister Tayyip Erdoğan to Western Thrace in 2004, the highest ranking Turkish official after the visit of Celal Bayar in 1950s, signified the developing relations between Greece and Turkey and its reflections on the minority group in Western Thrace.

Nevertheless, the internationalization process of the minority rights by the solidification of international norms and the gradual diminishing of state authority on minority groups led to the decreasing importance of bilateral relations between Greece and Turkey on minority policy of the Greek government. Namely, the worsening of the relations with Turkey would not directly mean that the

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<sup>330</sup> Erol Kurubaş, “Türk-Yunan İlişkilerinde Neo-Detant Dönemi ve İlişkilerin Geleceği”, in *Türkiye-Yunanistan Eski Sorunlar, Yeni Arayışlar*, Birgül Demirtaş Coşkun ed. (Ankara: Avrasya Stratejik Araştırmalar Merkezi Yayınları, 2002), p.19.

suppressive Greek policies on Turkish minority group would be practiced because the states are no more the sole determinants of the minority policies.

### **5.3 The Greek Minority Policy and Practices after 1990**

The Greek minority policy and practices in 1990s have been comprised of full of inconsistencies because of the pressure coming from the opposite camps as noted above. The Greek governments have fallen into the dilemma between the factors against the change and factors for the change. Because of the dilemma, the Greek government followed a policy of pragmatism on minority rights issue to balance the pressure coming from the opposite sides, and to appease both domestic nationalist circles and domestic and international liberal community. As Ronald Meinardus argues the Greek strategy in this period could be described as one of the ‘carrot and stick’: *“On the one hand petty discrimination, which has caused a lot of embarrassment to Greece, has been abolished. But the problems remained. The government continued, to the dismay of minority leaders, its policy of limiting the autonomy of important minority institutions and denying its ethnic character.”*<sup>331</sup> Thus, when the pressure coming from the international community and the NGOs increase to a such level that would damage the image of the Greek State, the Greek government have taken the initiatives that would improve the rights of minority groups even against the protests of the Greek nationalist circles. However, in its essence, the positive rights of the minority such as the ethnic identity of the Turkish minority in Western Thrace about which the Greek society has been very sensitive and has boosted its insecurity feeling, the Greek government continued its traditional exclusivist policy.

#### **5.3.1 Continuing Violations**

The most important sign of the continuation of traditional Greek minority policy of ethnocentric exclusion is the denial of ethnic identity of the Turkish minority in Western Thrace. Greek officials deny the existence of ‘Turkish minority’ in

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<sup>331</sup> Ronald Meinardus, “Muslims: Turks, Pomaks, and Gypsies” in *Minorities in Greece: Aspects of a Plural Society*, Richard Clogg ed. (London: Hurst Company, 2002), p.92.

Greece, and they label the minority living in Western Thrace as ‘Muslims’. As argued by the Turkish Ministry of Foreign Affairs: “*The post office refuses to accept written communications that contain any reference to the Turkish identity of the Minority. Government leaders, even the Parliament, turn down petitions on behalf of the Minority when addressed in the name of the ‘Turkish’ minority.*”<sup>332</sup> The Greek officials such as Stavros Kambellis (secretary general of Thrace) point out that in the Lausanne Agreement this minority was defined as Muslims, and the word ‘Turkish’ refers to the citizens of Turkey: “*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.*”<sup>333</sup>

However, all the international covenants signed by Greece in 1990s granted the freedom of self-identification to minority groups. The minority in Western Thrace has the right to define itself according to its will. In July 1999, the Foreign Minister of Greece George Papandreou, a modernist politician and a supporter of multiculturalism, gave a speech about the identity of Turkish minority in Western Thrace, as noted above, admitting the fact that there are Muslims of Turkish origin living in Western Thrace, and he was immediately faced with xenophobic and degrading criticisms from the nationalist circles in Greece. The leading politicians called for the resignation of Papandreou and accused him of near-treason as “*being a minister of Ecevit and Clinton*”<sup>334</sup> After a while, Papandreou had to retreat from his views on minorities against intensive reactions and he declared that his views on self-identification of minorities were merely his ‘personal’ views.<sup>335</sup>

The second continuing violation related with the denial of ethnic identity is the closure of Minority Associations which include the term ‘Turkish’ and ‘Western’

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<sup>332</sup> “Turkish Minority of Western Thrace: Denial of Ethnic Identity”, available at the official site of Turkish Ministry of Foreign Affairs: [www.mfa.gov.tr/grupa/ac/acd/acda/wtdenial.htm](http://www.mfa.gov.tr/grupa/ac/acd/acda/wtdenial.htm), accessed on 01.12.2003.

<sup>333</sup> Human Rights Watch Report on Greece, *op. cit.*, p.15.

<sup>334</sup> “Minorities and Media in Greece”, *Minority Rights Group, op. cit.*, p.3.

<sup>335</sup> *Ibid.*, p.4.

in their titles. The Western Thrace Turkish Teachers Union, Komotini Turkish Youth Union and Xanthi Turkish Union are still banned by the Greek authorities because of the word ‘Turkish’ in their titles which has been another obvious violation of minority rights in Greece. When these closures were referred to the Greek courts, the Greek courts concluded that: “The word ‘Turkish’ referred to the 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 endangers public order and incites citizens to commit acts of violence upon each other.”<sup>336</sup> Furthermore, the Association of Western Thrace Religious Officials applied to the Greek authorities for permission in 1995, yet its application was turned down because of the word ‘Western’ in its title disputes the Greekness of the Thrace region.<sup>337</sup> This situation is a clear example that characterizes the violation of freedom of association by the Greek government.

The third area of violation is the religious rights of the Turkish minority in Western Thrace. Instead of the provisions of the international covenants, Athens Agreement (1913) and the Treaty of Sevres (1920), Greece promulgated a presidential decree which introduced the appointment of the Muftis in Western Thrace by the prefectures of the region on December 24, 1990.<sup>338</sup> Today, both in Komotini and Xanthi there are two muftis, one is elected by the minority in Western Thrace, the other is appointed by the Greek authorities. The Greek authorities not only repealed the right of election of muftis, but also referred Mehmet Emin Aga (the elected mufti of Xanthi) and İbrahim Şerif (the elected mufti of Komotini) to the court. Mehmet Emin Aga was sentenced to prison in 1995 for usurping the title of mufti and releasing messages on the occasion of Islamic holidays.<sup>339</sup> The cases was submitted to the European Court of Human

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<sup>336</sup> Human Rights Watch Report on Greece, *op. cit.*, p.16.

<sup>337</sup> Avrupa Batı Trakya Türk Federasyonu, “Batı Trakya Türk Azınlığını Etkileyen Mevcut Sorunlar”, available at: [www.abtftf.com/html/](http://www.abtftf.com/html/), accessed on 31.01.2005.

<sup>338</sup> “Turkish Minority in Western Thrace”, available at: [www.trakyaninseesi.com/english/pages/05.htm](http://www.trakyaninseesi.com/english/pages/05.htm), accessed on 03.12.2003.

<sup>339</sup> Human Rights Watch Report on Greece, *op. cit.*, p.23.

Rights (ECHR) and the ECHR concluded on two instances, *İ. Şerif vs. Greece* (14 December 1999 – Case No: 38178/97) and *M.E. Aga vs. Greece* (17 October 2003 – Case No: 50776/99), that Greece has violated the Article 9 of European Convention on Human Rights.<sup>340</sup> In addition, Amnesty International declared Mehmet Emin Aga as ‘*Prisoner of Conscience*’ on February 24, 1998.<sup>341</sup> However, today Greece continues to recognize the appointed muftis as the religious leaders of the Turkish minority in Western Thrace who are lacking any respect or credibility or recognition by the minority group.

The fourth issue that the Greek authorities violate minority rights is the private charitable institutions of the Turkish minority called ‘wakfs’. As mentioned before, the administrative boards of the wakfs have been appointed by the Greek authorities since the Junta period in violation of international and multinational agreements. In addition, the control of the local governor over the administration of wakfs and their financial control were consolidated by the presidential decrees of 1980 and 1991.<sup>342</sup> The authority of appointing the administrative board and financial control is given to the state-appointed prefect of the area. Today, the administrative boards of the wakfs appointed by the Junta regime are still managing the wakfs, and the Greek government is collecting heavy taxes from the revenues of the wakf properties which have been exempt from taxes by the international agreements. Thus, the Turkish minority became unable to make use of these revenues for the basic needs of minority such as the maintenance of schools and mosques.<sup>343</sup>

The fifth important continuing violation of the Greek government after 1990 is the question of ‘heimatlos’ who are the members of the minority group that had lost

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<sup>340</sup> OSCE Human Dimension Implementation Meeting, Warsaw, 6-7 October 2003, the speech of Western Thrace Minority University Graduates Association, *op. cit.*, p.7.

<sup>341</sup> “Turkish Minority of Western Thrace: Denial of Ethnic Identity”, the official site of Turkish Ministry of Foreign Affairs, *op. cit.*, p.2.

<sup>342</sup> “Turkish Minority in Western Thrace”, [www.trakyaninsesi.com/english/pages/05.htm](http://www.trakyaninsesi.com/english/pages/05.htm), *op. cit.*, p.4.

<sup>343</sup> OSCE Human Dimension Implementation Meeting, Warsaw, 6-7 October 2003, the speech of Western Thrace Minority University Graduates Association, *op. cit.*, p.8.

their Greek citizenship and left 'stateless'. Instead of the abolishment of famous Article 19 of the Greek Citizenship Law in June 1998, the abolishment was not effective retroactively. That means thousands of Turkish minority members living in Western Thrace which had lost their citizenship arbitrarily by the application of Article 19 left stateless even without any rights of citizenship. For instance, a member of Turkish minority, Aysel Zeybek lost her Greek citizenship after a trip to Turkey in 1984 and as stated in the report of International Helsinki Federation for Human Rights: "*Without having any legal documents, Aysel Zeybek remained unable to get an education, marry, travel, had access to no social security of any kind and no free medical services.*"<sup>344</sup> The application of the Article 19 by the Greek authorities that deprived thousands of minority members of their Greek citizenship is totally violating the EU laws for citizenship, and the other international covenants on minority rights. After the protests of the NGOs and international actors for retroactive application of the law repealing the Article 19, the Greek government declared in 1998 that all the stateless people living in Greece would be offered Greek citizenship, however until today no steps have taken by the Greek government for the regaining of citizenship of stateless minority members.

The sixth important violation of Greece after 1990's is the introduction of 3% national threshold in general elections and administrative restructuring of Western Thrace. The Turkish minority in Western Thrace constitutes about 1% of the total population of Greece. However, the Greek government introduced the 3% national threshold to prevent the election of minority members as independent MPs or by their own political parties' MPs. By the system of national threshold, the minority members are compelled to enter the elections in the main political parties of Greece, otherwise it is impossible for a minority member to be elected to the Greek Parliament. Furthermore, by the restructuring of the regions in Western Thrace by Kapodistrias Plan, some districts in Western Thrace were unified to avoid the election of a Turkish prefect in the region. Especially, to the Rodopi

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<sup>344</sup> The Report of International Helsinki Federation for Human Rights, 1998, available at: [www.ihf-hr.org/viewbinary/viewhtml.php?doc\\_id=4353](http://www.ihf-hr.org/viewbinary/viewhtml.php?doc_id=4353), accessed on 01.12.2003.

province some villages are added with a Greek majority to halt the Muslim minority to acquire numerical superiority in the province. As a result of the restructuring, the Turkish minority in the region lost its chance to elect one of its members as a prefect and the districts in which the minority members form a majority and administer has been limited to 4 municipalities and 7 sub-districts which is also an obvious violation of the political participation rights of the minority group.

The above-noted continuing violations of minority rights by the Greek government signify the power of ethnocentric philosophy, insecurity feeling, anti-minority groups and sentiment in Greece. In almost all of these violating practices, the Greek governments declared their intention to abrogate these anti-minority practices under the pressure of international actors, however, faced with a serious reaction from the Greek nationalist groups, and the governments abandoned from taking action. These continuing violations present that in its essence the Greek minority policy still preserves its exclusivist and ethnocentric character instead of minor changes in negative rights which will be discussed in the next section.

### **5.3.2 Positive Changes of Greek Minority Policy**

The positive developments on minority protection in Greece began in 1991 by the introduction of two principles that the Greek government would follow. The first principle is ‘isonomia’, equality before the law, and the second principle is ‘isopoliteia’, equality of civil rights between the majority and minority groups which were a significant development in Greece after the period of suppression and assimilation.<sup>345</sup> In light of these principles, the most important positive step taken by Greek government in 1990s was the abolition of the Article 19 of the Citizenship Law in January 1998. The Greek government decided unanimously to abolish the Article 19 by the support of the NGOs and European governments and

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<sup>345</sup> “The Muslim Minority of Grek Thrace”, available at: [www.hri.org/news/greek/misc/96-04-06.mgr.html](http://www.hri.org/news/greek/misc/96-04-06.mgr.html) , accessed on 28.03.2005.

deputies, despite warnings from vocal nationalists.<sup>346</sup> By the abolition of Article 19, the most important violation of Greece and threat against minority members, which was even discriminating between Greek and Non-Greek origin Greek citizens on the ethnical basis, ended in 1998. In addition, the Greek government also acquiesced to issue identity and travel cards to around 1000 stateless minority members (became stateless under the provision of Article 19) living in Greece.<sup>347</sup>

Secondly, the Greek government has taken the education of the minority members as a matter of high priority after 1990s. First of all, the Ministry of Education increased the financial support for the expenses of minority schools. For instance, in 1998, 61,600,000 drachmas (US\$ 200,000) were spent for running costs, 289,364,000 drachmas (US\$940,000) for new construction, 139,126,000 drachmas (US\$ 452,000) for repairs and 100 million drachmas (US\$ 325,000) for educational materials in minority schools.<sup>348</sup> In addition, the teachers of Turkish nationals and graduates of Turkish universities began to be employed in minority schools in Western Thrace. According to the records of Greek foreign ministry, 440 Muslim teachers are employed in minority schools of which 260 are graduates of Special Pedagogical Academy of Thessaloniki, 82 are graduates of the secondary education schools (Gymnasiums and Koranic Schools), 90 are graduates of Turkish schools, and 8 are Turkish nationals convenient with the Cultural Protocol of 1968.<sup>349</sup> The other development in minority education is the recognition of two Koranic schools of Komotini and Xanthi as equivalent to the religious studies lyceums of the country in 1998, by which the minority students who graduate from these Islamic schools had the chance to continue their

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<sup>346</sup> Panayote Dimitras, Nafsika Papanikolatos, “Two Years of Traditionalist Modernism in Greece’s Human Rights Policy”, available at: [www.greekhelsinki.gr/english/articles/AIM28-1-98.html](http://www.greekhelsinki.gr/english/articles/AIM28-1-98.html) , accessed on 28.03.2005.

<sup>347</sup> *Ibid.*, p.1.

<sup>348</sup> The Report of Greek State presented to Committee on the Elimination of Racial Discrimination of the UN in 2000, p.7.

<sup>349</sup> Ministry of Foreign Affairs of Greece, “The Muslim Minority of Greek Thrace”, available at: [www.hri.org/MFA/foreign/musminen.htm](http://www.hri.org/MFA/foreign/musminen.htm) , accessed on 31.01.2005, p.1.

education in Theology Faculties.<sup>350</sup> The other positive developments in education of the minority are the exchange of textbooks used in minority schools with Turkey, renewal of their old content, the reservation of 400 places in Greek universities each year for minority students and the programs developed by the Greek government and financed by the EU for the development of skills of minority children: ‘Program for Education of Moslem Children’ and ‘Multicultural Educational Support for Student Groups in Greece’.<sup>351</sup>

Thirdly, the social rights of the Turkish minority in Western Thrace became more accessible after 1990s. The most important positive development in social life of the minority was the removal of restrictions for the movement of the minority members by the abolishment of the restricted areas along the Bulgarian border in 1995. Another positive step taken by the Greek government is the application of the equal conditions for acquiring permits and licenses. For instance, as announced by the Foreign Ministry of Greece, no hindrances or delays are present in the issuing of hunting permits and driving licenses such as in the prefecture of Rodhopi 4473 permits were issued or renewed in 1998-1999 season, and 1863 to Christians (41.65%), 2610 to Moslems (58.35%).<sup>352</sup> About the driving licenses issued by the Transport Office in 1998, the Prefecture of Xanthi issued 2720 licenses of which 1496 to Moslems, while in the Prefecture of Rhodopi the licenses issued to Moslems exceeded the 60% of the total.<sup>353</sup> On the other hand, it has been reported that physical attacks, unlawful persecution and desecration of Muslim holy places, have declined to the negligible levels after 1990s.<sup>354</sup>

In terms of economic development, the Greek government also has taken precautions to remove the discriminatory obstacles in front of the economic

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<sup>350</sup> The Report of Greek State Presented to Committee on the Elimination of Racial Discrimination of the UN, *op. cit.*, p.7.

<sup>351</sup> Ministry of Foreign Affairs of Greece, “The Muslim Minority of Greek Thrace”, *op. cit.*, p.2.

<sup>352</sup> *Ibid.*, p.3.

<sup>353</sup> *Ibid.*

<sup>354</sup> OSCE Human Dimension Implementation Meeting, Warsaw, 6-7 October 2003, the speech of Western Thrace Minority University Graduates Association, *op. cit.*, p.3.

growth of the minorities. The most important economic discrimination applied by the Greek authorities was to prevent the purchase of land by the Turkish minority and expropriation of minority lands in the region. After 1990s, the minority members began to be allowed to purchase land in the region. As noted in the report of Greek Foreign Ministry:

*Since the beginning of the 1990s, hundreds of plots of land owned by Christians have been purchased by Moslems and the problems of the past have been eradicated. The statistical data of sales and purchases of land in Thrace for 1998 indicate a higher rate of purchase by Moslems: 44.11% of total purchases were made between Moslems, 49.68% were purchases of Christian property by Moslems while only 6.21% involved the purchase of Moslem property by Christians.<sup>355</sup>*

In addition, no large expropriation of minority lands in Western Thrace by the Greek authorities was reported after 1990s. Besides, the Greek government boosted the investments for the development of the infrastructure in the region. Large-scale construction projects have been completed in the region by the help of the EU finance such as the Special Local Government Development Program, PEP, the LEADER II and INTERREG programs which include forestry and land improvement works, improvement of airport facilities, irrigation, ecotourism, agrotourism, protection of environment and construction of West to East (Egnatia Road) and North to South roads and new border crossings with Bulgaria.<sup>356</sup> Lastly, the rate of public employment of minority members rose after 1990s by the help of EU initiations. For instance, in 2002 several members of the minority have been employed at the EU supported Citizen Advisory Bureaus.<sup>357</sup> According to the report of Greek Foreign Ministry, today more than 350 Moslems are employed in Western Thrace as teachers, firemen, veterinarian, guards, bank clerks and

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<sup>355</sup> Ministry of Foreign Affairs of Greece, "The Muslim Minority of Greek Thrace", *op. cit.*, p.3.

<sup>356</sup> *Ibid.*, p.1.

<sup>357</sup> OSCE Human Dimension Implementation Meeting, Warsaw, 6-7 October 2003, the speech of Western Thrace Minority University Graduates Association, *op. cit.*, p.12.

seasonal posts in municipalities and forest authorities which were almost non-existent before the 1990s.<sup>358</sup>

Briefly, in light of the equality and non-discrimination policies of the Greek governments in the beginning of the 1990s, the steps to grant several negative minority rights have been taken in the areas of deprivation of citizenship, educational matters, social affairs and economical development that would ensure and protect the equality of the minority members with the ethnic-Greek citizens. The support of the international institutions and NGOs for these developments, and their initiation in several programs and projects served as the basic motive for the Greek government to take these positive steps.

The minority policy of Greece after 1990s is a product of web of factors affecting the Greek politics. Thus the Greek government has to consider a set of factors and their importance before deciding on its minority policy. In this period, the most important factor for the continuation of exclusivist Greek minority policy was the ethnocentric Greek identity whose basic building stone is the Greek nationalism and its components: Greek ethnicity, Greek language and Greek Orthodoxy. 200 years of nation-building process in Greece consolidated the Greek ethnic-nationalism, and Greece has become one of the most nationalist states of Europe in which there has been no room for minority groups and which is proud of its national homogeneity and unity. In addition, the negative concepts about minority groups as the fifth columns and secessionist, and the rising of security concerns of the Greek state after the heightening of ethnic politics in the Balkans were the other important sources of antipathy towards the minority groups. And the most passionate advocates of the Greek national ideology, the Greek media, the Greek religious circles and Greek society and intellectuals have supported and sustained the idea of continuation of traditional Greek minority policies.

On the other hand, the systemic changes undergone after 1990s were the most important factors that have forced the Greek minority policy to shift from its

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<sup>358</sup> Ministry of Foreign Affairs of Greece, "The Muslim Minority of Greek Thrace", *op. cit.*, p.3.

traditional stance. The collapse of the Eastern bloc, the movements of liberalization and democratization in the former communist states, the shift of power from central governments to the civil society and individuals, the incredible advances in technology and the mobilization of information and persons forced the nation-states, including Greece, to follow more liberal policies on minority groups. And new actors of the international politics, the Non-Governmental Organizations and the inter-governmental institutions, emerged after the systemic changes that are more sensitive on the issue of minority protection after 1990s. These organizations have created a pressure on all nation-states to open-up new dimensions in their minority policies that would improve the quality of living conditions of the minority members. Besides, the advances of the technology led to the more conscious and organized minority members donated with more information, and they also began to demand their minority rights or refer the violations of the state to the international organizations; thus, any minority rights violation of the governments became more costly in this period.

Under the pressure of these opposite forces, the Greek government presented dilemmatic responses on the issues related with the minority protection after 1990s. Generally, the Greek State followed a ‘carrot and stick’ policy in this period. The basic aim of the Greek governments was to remove the previous practices and laws that have been obviously discriminating against the minority group and damaging the image of the Greek State which has begun to be called as an ultra-nationalist, minority rights violator state. To accomplish this end, the Greek governments started the policy of ‘equality and non-discrimination’ in the beginning of the 1990s to reinstate its image as the cradle of democracy and respective to the minority rights, and granted the negative rights of the minority by removing the most criticized laws and practices which had been obviously abusing the rights of the Turkish minority in Western Thrace such as the Article 19 of Citizenship Law, investing in centuries-old education system of the minority and treating equally in issuing licenses, permits and other appliances.

Nevertheless, most of the areas in which the Greek governments changed its minority policy are included in the negative rights of the minority group which requires equality and non-discrimination. The granting of the negative rights of the minority groups by the Greek government had not led to the great uproar from the nationalist forces against the shift of minority policy because these rights were neither conflicting with the homogeneity of the state nor deteriorating the insecurity feeling. Besides, these superficial changes in the Greek minority policy sufficed to lessen the pressure coming from the international community on Greece for the liberalization of its minority policy. For instance, although the abolition of Article 19 was not retroactive (means leaving of 60,000 minority members stateless), the European governments applauded the removal of Article 19.

However, when the violations of Greek State has been about the ‘positive rights’ of the minority, which means the special rights for the promotion of minority culture and identity, the policies of the Greek governments have not changed because granting positive rights would both damage the homogenous culture of the Greek nation and heighten the insecurity feeling about the territorial integrity of the state. For instance, the recognition of the ethnical identity of the minority in Western Thrace has never accomplished in Greece, because any step of the government for this end would create a great uproar from the nationalist forces of Greece supporting continuation of traditional policies because this step would end their basic claims of homogeneity of the Greek nation. Furthermore, the international pressure coming for the change in Greek policy has not been as powerful as the pressure given for the abolition of Article 19. Hence, although the denial of ethnic identity and appointment of religious leaders abuses the minority rights and violates the international liabilities of Greece, the Greek governments, by following a pragmatist policy, have been dragging on the granting of the positive rights of Turkish minority. Namely, the Greek government is giving a carrot to the minority group and international community by endowment of negative rights of the minority group which would not create important security

problems for the Government; in contrast, the Government shows a stick to the minority group by continuing its ethnocentric and exclusivist minority policies and denying their positive rights whose acceptance would create serious problems for the Greek government because of the nationalist Greek identity.

## CHAPTER 6

### CONCLUSION

The complexity of the minority protection issue begins with the definition of the term 'minority'. The parties of minority problem have not reached a universal definition of the term yet because there are thousands of different minority groups with different characteristics and states, representing majority groups, do not show the real desire to reach a universal definition due to their clashing interests with minority groups. On the other hand, there are several widely-accepted characteristics of minority groups such as the differentiation from the majority, smaller numbers than the majority, possessing less power, citizenship to the state, loyalty to the host state and the awareness of its distinctiveness by which the minority groups are tried to be identified. In addition, the contents and the borders of the negative (the equal rights of the minority with majority) and positive (special rights of the minority group) rights are also not clear so far. Thus, the blurred definition and scope of the minority rights is one of the important obstacles which impedes the taking of further steps towards prevention of the conflicts between majority and minority.

The issue of minority protection first entered the agenda of international politics by the onset of the modern system after the Westphalian Agreement which had provisions on the protection of religious minorities. After the Vienna Agreement, the ethnicity also became one of the criteria which differentiate the social groupings, and thus, ethnic groups were included into the range of minorities affected by the nationalist philosophy, and the minority protection system

expanded to include the Balkan region. In the period after WWI, the minority rights were guaranteed under the supervision of an international organization, League of Nations, however, unjust application of these rights to certain states prepared the end of the League of Nations system of minority protection. During the Cold War, minority rights, which was blamed for causing the WWII, subsumed under the aegis of human rights that is the universal equality rights of every individual. After the cyclical development of the issue, in the beginning of 1990s, minority protection once again gained primacy in international politics following the rise of ethnic clashes in Bosnia and Kosovo. The UN, the Council of Europe, the OSCE and the EU adopted several covenants on minority protection; so far these covenants have limitations, and do not grant all of the positive rights of the minorities and do not regard these groups as collectivities. Hence, they have not succeeded in preventing the conflicts between majority and minority groups yet. Nevertheless, the balance of power gap between the majority and minority groups and the unjust application of minority protection system has been narrowing since the Westphalia Agreement which is one of the major obstacles in front of the solution of minority problems. The system of minority protection after 1990s is the most balanced, objective and just system ever applied in the world, yet it is still lacking enough coverage in the world and acceptance of states, and it has limitations such as ignorance on the several positive rights of minority groups.

Greece, since the day of its establishment, faced with the minority question and obliged to provide minority rights by the force of Great Powers, after defeats in war, or by international organizations. Nevertheless, the Greek State never desired to grant any minority rights or recognize any minority group in its borders because of the philosophy behind its establishment and its security concerns. The minority groups have been regarded as 'foreigners' who are potential threats against the territorial integrity of the Greek State. The minorities are considered as 'others' because according to the definition of Greekness, the individuals who are not of Greek-ethnicity, language or Greek-Orthodox religion could not be labeled as 'Greek'. Thus, the philosophy behind the nation-building process of Greece has

been a strictly ethno-nationalist philosophy which led to the exclusivist policies of the Greek governments. On the other hand, the rivalry between the states surrounding Greece, and the self-identification of minority groups with their neighboring kin-states promoted the insecurity feeling of Greece, and minority groups have been regarded as collaborators of their kin-states and who have been aiming secessionist ends.

Therefore, to achieve the ideal goal of the Greek state, the national homogeneity and unity, the Greek governments followed the policy of forced assimilation and expulsion to minimize the number of minority groups until 1990s except a period of détente with Turkey. Nevertheless, the period of détente was an extraordinary era in which the imminent security needs required collaboration with Turkish government. The Greek State applied several strategies under the policies of exclusion, assimilation and expulsion such as deprivation of citizenship, denial of ethnic identity, deprivation of religious, social and economic rights especially in the era of suppression from mid-1950s to the beginning of 1990s which were an obvious violation of its obligations assigned in the Lausanne and other agreements. The Greek religious circles, media and intellectuals generally sided with the traditional Greek policies of exclusion and suppression and resisted any attempt to improve the rights of the Turkish minority in Western Thrace.

After the beginning of 1990s, fundamental transformation took place in the international arena such as the collapse of Eastern bloc, the advance of technology, re-ethnicization of politics and empowering of civil society and individuals which forced the authoritarian regimes to liberalize their policies on minority groups. In addition, the international governmental organizations adopted several covenants for the protection of minority groups, and the international NGOs and the NGOs established by the Turkish minority served as monitoring mechanisms and catalyzers for the liberation of the minority policies of Greek government. In addition, the bilateral relations between Greece and Turkey developed after the devastating earthquakes of 1999 which was another motivation for the Greek government to liberalize its minority policies.

In 1990s, between the pressures coming from the traditional and liberalizing factors, Greek governments presented dilemmatic responses towards minority groups. Inside the dilemma, Greek governments have chosen to avoid from the policies that would incite any side of the minority debate and followed pragmatist policies. However, the Greek state ended its minority policy of forced assimilation and suppression due to its concerns of improvement of international image and prestige, and prevention of the minority group from following secessionist policies, and granted the negative rights of the Turkish minority which are the equal rights of the minority members same as the majority. Yet, the positive rights of the Turkish minority in Western Thrace are still ignored by the Greek government because any improvement on positive rights of the Turkish minority would entail the great reactions from the Greek traditionalist forces, and in its basis continued its policy of exclusion and denied the positive rights of the Turkish minority. Basically, the ethnic identity of the minority in Western Thrace has not yet been recognized by the Greek government which is the most obvious violation of minority rights in Western Thrace.

In fact, the basic rights of a minority group are its positive rights which would help the minority to maintain its culture and characteristics. Thus, the Greek government as a member of democratic and liberal international organizations has to focus on the notion of civic citizenship which is the essence of a democratic state. The individuals should not be classified and located in the society according to their ethnic identity as is the case in Greece. The paradox in Greece is that the Greek governments are applying discriminatory and exclusivist policies towards the minority groups because of their ethnic and other differentiating characteristics; yet, they deny the ethnic identity of these minority groups including the Turkish minority in Western Thrace. Nevertheless, the reversing of the process of ethnic-nationalism and the insecurity feeling in the minds of Greek society would not take short time which requires education and adherence to the democratic ideals. In addition, the inability of the international actors to present a unified stance and the ‘double standard’ applied by the EU on minority rights to

the member states and the candidate states endow Greece the opportunity to resist the great transformations and the liberalizing pressure of the era after 1990s, and decelerates the liberalization process of the Greek State on the minority protection issue. In contrast, the unjust application of minority rights to different states, which is the case in the EU (candidate-member distinction), has been one of the major sources of conflict throughout the evolution of minority protection, and in the Greek situation, leaves space for the continuation of 'carrot and stick' policy, and leads to the decreasing international pressure on Greece to grant the basic rights of the Turkish minority.

In general, the solution of the minority question throughout the world seems unfeasible in the coming years. The issue of minority rights occupies the world's agenda when it turns out to be a burden or a threat to the international system. When the minority question becomes a threat for the system, the international actors just proceed to maintain the minimum stability again instead of discussing the solution of the problem as a whole. In addition, the minority question is not handled as minority-itself, from the minority groups' point of view; nevertheless, the question is debated at the level of international organizations or states who are the powerful actors of the international system. These actors generally do not consider the demands of the minority groups, and instead have taken decisions according to their interests. Similarly, minority groups can not put their demands from the view of minority-itself as a whole because of their economic problems, the threat to be singled-out, the pressure coming from the majority prevents the minority groups to follow policies according to their interests.

The minority question in Greece as a whole presents a continuity in its basis of ethnocentricity and exclusivity in spite of several modifications because of external factors in different periods. Due to these basis, the handling of the minority problem in Western Thrace from the minority-itself view does not seem viable in the near future. As a last word, the general minority policy followed by Greece can be regarded as a reproduction of its main axis formed by ethnocentrism and exclusion.

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