



Avrupa Batı Trakya Türk Federasyonu
Föderation der West-Thrakien Türken in Europa
Federation of Western Thrace Turks in Europe
Ευρωπαϊκή Ομοσπονδία Τούρκων Δυτικής Θράκης
Fédération des Turcs de Thrace Occidentale en Europe

NGO in Special Consultative Status with the Economic and Social Council of the United Nations
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Dear President,
Distinguished representatives
And esteemed NGO Delegates,

While the OSCE participating States have committed in Copenhagen that they will endeavour to ensure that persons belonging to national minorities have adequate opportunities for instruction of their mother tongue or in their mother tongue, it is increasingly clear that the right to education in mother tongue is not enjoyed equally by all in some OSCE participating States, including Greece.

The Turkish Minority of Western Thrace is granted with the right to education in its mother language and autonomy in the management of its educational institutions with the Treaty of Lausanne which determined the status and the basic rights of the Minority in general. The Cultural Protocol signed between Turkey and Greece on 20 April 1951 (which was abolished and replaced by the Bilateral Agreement on Cultural Cooperation in 2000), the Exchange of Notes in 1952 regarding the issue of exchange teachers who would be assigned in Minority Schools and the Protocol of the Turkish-Greek Cultural Commission, signed in 1968 are the relevant documents which maintain the autonomous status of the minority in the field of education. Furthermore, the right to education is provided by Article 16 of the Greek Constitution which defines the scope and aim of education for the development of an ethnic and religious consciousness. The right of the Turkish Minority of Western Thrace to education in mother tongue in its own educational institutions is regulated with laws in domestic law which provide the basic structure of the minority education.

We would like to highlight the discrimination with respect to the right to education in mother tongue at the preschool level on the children of the Turkish Minority in Western Thrace, northern region of Greece where the minority children who completed the 5th year of their age has to attend in majority kindergartens under the Ministry of Education, although the minority is granted the right to establish, maintain and manage its own educational institutions that give education on the mother tongue of the minority.

Law 3518/2006 envisages the extension of the compulsory period in education from nine to ten years starting from the school year 2007-2008. Under Law 3518/2006 the condition of pupils' admission in pre-school education has been revised and Article 73 has envisaged a two year attendance in kindergartens for pupils who have completed the 4th year of their age. Because the law does not bring any regulation about ethnic and cultural difference of the children in Greece, all children who have completed the 5th year of their age is obliged to attend state kindergartens where the language of education is only in Greek. The right not to be discriminated is violated because Greece without an objective and reasonable justification fails to treat differently minority children who speak a different language other than Greek.

The Representative of the Hellenic Government Deputy Permanent Representative of Greece, Ambassador M. Diamessis on the thematic focus on minorities and the right to education on 15-16 December 2008 at the First UN Forum on Minority Issues stated that children at kindergartens did not have Greek textbooks, because they did not have any textbooks or any specific curriculum.¹ The Representative underlined that activities and games were the only means used in kindergartens which served as a smooth introduction to primary education and helped to avoid segregation of the Muslim minority from the rest of the Greek society.

The implementation of the above-mentioned law presents a serious problem for the Turkish Minority of Western Thrace. When the 2012-2013 school year started, some children belonging to the Turkish Minority of Western Thrace in Echinus village in Xanthi have not been enrolled in primary schools on the ground that those children did not attend kindergarten. The parents stated that they did prefer to send their children to public kindergartens where the language of education is only Greek. The parents noted that the Greek State should ensure bilingual minority kindergartens for their children.

In the second week of problem in the Echinus Turkish Minority Primary School where 20 children have not been enrolled to the first grade of primary school on the ground that they did not attend public kindergarten, the Principal of the Minority School, Hasan Kurak has been referred to the disciplinary board by the state inspectorship of the Ministry of Education. The Principal Hasan Kurak stated that in petitions that the parents presented to the minority school and the state inspectorship in June, the parents declared that they did not send their children to public kindergartens because there are no bilingual kindergartens. The principal noted that they sent the parents' petitions to the state inspectorship in June and added that they admitted all the children of whom parents made pre-registration in June to the first grade of the school since they did not get any answer from the state inspectorship.

We would like to remind that education is both a human right in itself and an indispensable way of realizing other human rights. Education is central to promoting the identity of individuals and expressing their identity, while it allows persons belonging to national minorities to pass on their culture to future generations, preserving and developing their minority characteristics. We would like to recall that Article 30 of the UN Convention on the Rights of the Child notes that in those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to use his or her own language. Since Law 3518/2006 did not bring any differential treatment for the minority children, the children's right to use their own language and have education in mother tongue is being violated. Furthermore, those children who have not been enrolled to the first grade of minority primary school are deprived of their right to access to education.

¹ See http://www2.ohchr.org/english/bodies/hrcouncil/minority/oral_statements_forum_minority_2008.htm

The UN Independent Expert on Minority Issues, Gay McDougall, had noted in her country visit report on Greece² in 2008 that a commonly stated problem is the absence of bilingual kindergartens for the minority. The former UN Independent Expert on Minority Issues stressed in her report that the principle of equality does not imply uniform treatment in the field of education regardless of circumstances, but rather that differential treatment of individuals and groups is justified when specified circumstances warrant it, so that the right to equal treatment is also violated when States, without permissible justification, fail to treat differently persons whose situations are significantly different. The expert stated that bilingual kindergartens would allow better knowledge of both Turkish and Greek from an early stage therefore providing benefits in terms of integration, and enabling greater choice of whether to go minority of Greek public primary school.

The Turkish Minority of Western Thrace should have a right to participate in the life of the State and in decisions affecting them. Greece should provide adequate opportunities to persons belonging to the Turkish minority to learn its mother tongue or to learn through the medium of the mother tongue, alternatives which should not be understood as mutually exclusive. In the particular context of pre-school education, delivery of educational services with the established bilingual minority kindergartens is a right stemming from their right to establish, maintain and manage its own educational institutions.

The Greek State should first create necessary conditions and establish a dialogue with the Turkish Minority and its educational institutions, thus enabling them to participate in the development and implementation of policies relevant to the minority education. The Greek State should act in a positive spirit in accordance with the requirements of modern education understanding with regard to the minority schooling system, and acclaim that the minority system of education should be reconstructed according to the principles of multiculturalism and multilingualism.

In specific to the problem in the pre-school level of education, we call the Greek State to:

- establish bilingual minority kindergartens in region in line with the minority schooling system
- give bilingual education in public kindergartens in the region until bilingual minority schools are established
- allow the Turkish Minority of Western Thrace to establish private kindergartens where the language of education will be Turkish and Greek.

Thank you.

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² See <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G09/111/98/PDF/G0911198.pdf?OpenElement>