



General Assembly

Distr.
GENERAL

A/HRC/7/NGO/44
22 February 2008

ENGLISH ONLY

HUMAN RIGHTS COUNCIL
Seventh session
Agenda item 3

**PROMOTION AND PROTECTION OF ALL HUMAN RIGHTS, CIVIL,
POLITICAL, ECONOMIC, SOCIAL AND CULTURAL RIGHTS, INCLUDING
THE RIGHT TO DEVELOPMENT**

**Written statement* submitted by The Federation of Western Thrace Turks in Europe,
a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is
circulated in accordance with Economic and Social Council resolution 1996/31.

[20 February 2008]

* This written statement is issued, unedited, in the language(s) received from the
submitting non-governmental organization(s).

Forced Deprivation of Citizenship: the ex-Article 19 of the Greek Citizenship Law

Ex-Article 19 of the Greek Citizenship Law (No. 3370) was in force from 1955 to 1998, totally 43 years, and under this article, approximately 60.000 Turks were deprived of their Greek citizenship. This article was composed of clear racist expositions and divided Greek citizens into two: ethnically Greeks and ethnically non-Greeks. The content of the concerning article was as follows:

“A person of non-Greek ethnic origin leaving Greece without intention of returning may be declared as having lost Greek nationality. This also applies to a person of non-Greek ethnic origin born and domiciled abroad. His minor children living abroad may be declared as having lost Greek nationality if both their parents and the surviving parent have lost the same. The Minister of the Interior decides in these matters with the concurrent opinion of the National Council.”

The Greek governments arbitrarily used Article 19 to deprive ethnic Turks and other non-ethnic Greeks of their citizenship. The main aspects of Article 19 are as follows:

* With Article 19, the ethnic minorities and ethnic groups, in particular the Turkish Muslim minority of Western Thrace, were on the target. Neither the ethnic identity of minorities in Greece is respected, nor is their presence recognized. When it comes to oppression of these minorities by using such kind of measures, it is contributed to form a negative image of them. By this way, minority members were deprived of their citizenship under Article 19 not because they are “Muslims” as they are officially recognized, but because of their “Turkish identity” which is denied officially.

* Article 19 was used by the Greek governments in an attempt to alter the demographic balance in Thrace in favour of ethnic Greeks. In clear violation of the guarantee of equality before the law under Articles 1 and 2 of the Greek constitution, and Article 40 of the Treaty of Lausanne, Article 19 differentiated between ethnic Greeks and non-ethnic Greeks.

* The process of depriving an individual of his/her citizenship usually began when the police informed the Directorate of Citizenship that an individual and his/her family had left the country for an extended period of time. Since there was no obligation to inform the individual about deprivation of his/her citizenship, the person generally learned of it by coincidence, e.g at border controls, or when he/she applies for a new identity card/passport. It was not rare that some minority members were deprived of their citizenship when they were in Thrace in Greece without having gone abroad. There were even minority members, who lost their Greek citizenship while performing their military service.

* Although the individuals deprived of their Greek citizenship had by law two months from the time of revocation of their citizenship to appeal to the Council of State, only a few managed to meet the deadline as these persons were kept unaware of and uninformed about their denaturalization by the Greek administration.

* Article 19 of the Greek Citizenship Law divided the citizens into ethnic Greeks, and ethnic foreigners. The separation was a racist one as it discriminated them and paved the way to deprive non-ethnic Greeks of their citizenship.

* Article 19 had a real function and a symbolic function. By the second function, it was demonstrated how and with what philosophy the minority problem and minority members should have been treated. This philosophy still determines the behaviour of the Greek administration toward the minority. Only the special function of Article 19 could be terminated with its abolition. But it will take longer time and harder efforts to change the symbolic meaning and the general perception of it.

* Almost no legislator, lawyer, politician or journalist could dare to criticize Article 19. There has been a kind of national censorship on this issue. Because of this, it is easily understandable how difficult it is to talk about the minority, and other issues related with the minority in an environment, where total silence has produced via censorship a harsh human rights violation.

* Article 19 of the 1955 Greek Citizenship Law, which had an explicit character of racial discrimination, was repealed in 1998 by the Greek government. However, the repeal did not apply retroactively. According to the Greek government, between 1955 and 1998, approximately 60.000 individuals were deprived of their citizenship under Article 19. Over 7.000 of these lost their citizenship between 1981 and 1998. One should not forget that Greece has become a member country of the European Union in 1981.

* As mentioned above, Article 19 was repealed not retroactively. It means, those who remain stateless within Greece (about 200 today), and those who adopted the nationality of another country after losing their Greek citizenship and having left Greece (in this case mostly the Turkish nationality) have no right under Greek law to recover their Greek citizenship. The stateless individuals have difficulty receiving social services like health care and education, and although they worked many years in Greece and paid to the social system till deprivation of their citizenship, they have no right receiving pension.

* The case of Erntouvan Tzambas (Erdoğan Cambaz), who was rejected to get a new passport at the Greek Consulate in Germany after his Greek citizenship was secretly revoked, clearly demonstrates the racist and arbitrary character of Article 19. Mr. Tzambas moved to Hagen in Germany in 1999. Since his passport was expired, he applied to renew it at the Greek Consulate in Düsseldorf in 2001. The officials at the Consulate asked him for a document (*pistopiitiko*) which should state that he was a Greek citizen. He requested the Municipality of Amaxades where he was registered for the concerning document. However, it was stated in the document he received that his Greek citizenship had been revoked. Upon this, he informed the Department of Foreigners of the City of Hagen about the situation, and was granted “heimatslos” (stateless) documents so he could stay and work further in Germany.

Due to the psychological depressions and crisis caused by the thoughts that he could not renew his passport since his Greek nationality was revoked, he got into a state in 1997 that he couldn't work anymore. In 1999, due to his psychological problems, he was fired by his company. Later, he applied to the Work Agency (Arbeitsamt), and started to get unemployment money. In 2000, upon the request of the Work Agency, his health state was again examined. It was found out that his psychological problems continued. As a consequence of all of these, he retired earlier in 2000. The check-ups with regard to his health problems will continue in small intervals till he is 65.

In order to recover his Greek nationality, he gave his power of attorney to a lawyer in the years 1996-97, and to another one in 2001. He paid them a total of 4.000 German Mark. However, no result could be reached, and he applied for German nationality in 2004. Mr. Tzambas lives now in Netherlands.

To conclude, we call upon Greece to restore at once the citizenship of those minority members whose citizenship was revoked arbitrarily and in a racist manner under Article 19 of the Greek Citizenship Code. We also urge the human rights bodies of the United Nations to carry out a constructive dialogue and consultations with Greece to solve the problem. We believe that forced deprivation of citizenship is a clear human rights violation and violation of the constitution and laws, and must be remedied urgently.

Recent Discriminations

- *New media law in Greece:* According to new media law in Greece, local radio institutions and newspaper have to pay great amount of caution money. Minimum capital requirement for news radios is 100.000 € for regions whose population is in a range between 100.000 and 150.000 according to the latest population census. Meanwhile minimum capital requirement is 60.000 € for non-news radios. This media law targets minority media institutions, and minority radios and newspapers face the danger of closure.
- *Kindergarten's Law:* New law related with kindergartens anticipates that Greek language is a must in kindergarten education. However, the minority has the right to take education in its native language according to the Treaty of Lausanne. Thus, kindergarten education should be bilingual, but the law hinders bilingual kindergarten education and makes up an example of assimilation of Turkish children in Western Thrace.
- *Discrimination in Local Authorities:* Although there have been some positive developments with regard to minority rights in Greece, some racist discriminations still exist. At the beginning of 2008, a discrimination in Municipality of Komotini, where Turks are in majority (%60-70 of population of Komotini), came into being. 42 workers and 18 civil servants were employed in Municipality of Komotini, but all of them were ethnic Greeks. Municipality did not announce job opportunities to the minority members, and 60 ethnic Greeks were employed in secret, and without any public announcement.
