



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

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Distinguished representatives

And esteemed NGO Delegates,

The freedom of the media is one of OSCE's cherished values and the OSCE participating States have committed that freedom of expression is a fundamental and internationally recognized human right and a basic component of a democratic society and that free, independent and pluralistic media are essential to a free and open society. The task of the OSCE Representative on Freedom of the Media is to observe relevant media developments in OSCE participating States and, in close coordination with the Chairman-in-Office, to advocate and promote full compliance with OSCE principles and commitments in respect of freedom of expression and free media.

The Representative noted in her regular report to the Permanent Council that on 8 March, she wrote to the authorities asking for details in the cases of two Muslim minority newspapers that were given high fines by a civil court for their articles about a Greek teacher in a Muslim minority school. The newspapers, Gündem and Millet, were ordered to pay €150,000 and €120,000 respectively in the judicial cases sued by the Greek teacher Hara Nikopoulou¹, who worked in the Turkish minority primary school in the village of Büyük Derbent (Megalo Derio) on the ground that the newspapers published misinformed articles which claimed that the teacher had asked the first-grade kids in the primary school, where she had worked to draw the picture of God. An initial amount of €20,000 for Gündem and €30,000 for Millet has to be paid to the teacher immediately, even if the newspapers appeal the verdict to a higher court. In the case of non-payment of compensation, ten-month imprisonments are envisaged for the editors in chief of the newspapers.

¹ Hara Nikopoulou worked between 2005 and 2010 in the Turkish minority primary school in the village of Büyük Derbent (Megalo Derio). The problem, which began with a discussion between the Greek teacher Hara Nikopoulou and the school council about the maintenance and painting works of the school in the academic year of 2007-2008, deteriorated thoroughly due to the teacher's harsh attitude towards the pupils. The problem escalated as Nikopoulou continued to work in the school in the beginning of the academic year of 2008-2009. Due to the ongoing problem for about two years, the parents of the Büyük Derbent Turkish minority primary school demanded that Nikopoulou was urgently suspended to work in the school and sent to another one, and decided not to send their children to the school. Upon this, Hara Nikopoulou was transferred to another school. The problem has gained another dimension due to the support given by the Greek extreme nationalists to Nikopoulou. Lastly, Nikopoulou was awarded by the Athens Academy. Prof. Dr. Anna Frangoudaki, the person in charge of the Programme of Education of Muslim Children, criticized the prize awarded to Nikopoulou by sending an open letter.

The incident gained nationwide publicity because of the excessive fines. Eleftherotypia noted that the law stipulates that for a national publication the minimum fine is 29,325 EUR while for a local one it is 5,865 EUR. In other words, the fines of 150 000EUR and 120 000 EUR go far beyond the stipulated legal amounts. They could result in up to ten months imprisonment for the journalists if they are unable to pay. In a related development, while waiting for the Court of Appeal session, the teacher's lawyer asked for a partial advance payment of the fine: 32,600 EUR from Gündem and 22,300 EUR from Millet. Since the papers did not pay, in April 2011 the personal bank accounts of four journalists were blocked.

On 22-23 March 2013 Western Thrace Minority Culture and Education Foundation (PEKEM), Friendship, Equality and Peace (FEP) Party and the Federation of Western Thrace Turks in Europe (ABTTF) commonly hosted a fact-finding mission and Federal Union of European Nationalities (FUEN) President Hans-Heinrich Hansen and The European Association of Daily Newspapers in Minority and Regional Languages (MIDAS) Deputy President Bojan were present at the trial as observing attendees. The Thrace Court of Appeal held the trial of Gündem and Millet v. Hara Nikopoulou on 22 March 2013 and the trial of the case, attended by MP Terens Kuik (Independent Greeks) in support to Hara Nikopoulou, has been concluded with Thrace Court of Appeal's approval of appeal by Gündem and Millet. A declaration on the verdict of court is expected within four month period. They have visited press and media institutions, civil society organisations in representation of the Western Thrace Turkish and Mega Derio, the village in Western Thrace where the Hara Nikopoulou v. Gündem and Millet case has broken out.

ABTTF, PEKEM, and FEP Party have commonly hosted an international conference "Minority Press in Europe; Freedom of Expression and Media" in Komotini in order to raise the problems Western Thrace Turkish Minority goes through in terms of media freedom. After their visit to the region MIDAS adopted a resolution on Gündem and Millet at its general assembly on 17 May 2013 and MIDAS called the Court of Appeal to keep into consideration the need of respect of cultural and linguistic diversity as well as freedom of expression.

The high amount of compensation penalties given by the authorized courts is not an amount to be able to be paid by the concerning two minority newspapers continuing their publication life with very limited resources, and threatens their existence due to the result it has brought up. ABTTF has noted in several letters that it sent to the Representative that any compensatory damage award should not be a vehicle for censorship and other restrictive measures and thus weaken media pluralism in the country.

We urge all participating States, in particular Greece to reconsider to revise and amend the relevant legislation that hinders the freedom of the media and to ensure that media pluralism is guaranteed, protected and promoted in the country by all means. We kindly request the Office of the Representative on Freedom of the Media to have a greater role in review of the implementation of OSCE commitments related to the freedom of the media in all OSCE States.