



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
Member of the Fundamental Rights Platform (FRP) of the European Union Agency for Fundamental Rights
Member of the Federal Union of European Nationalities (FUEN)

Europe-Central Asia Regional Forum on Minority Issues 2022

30th Anniversary of the UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities

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SESSION IV: Moving Forward: Reforming the Protection and Implementation of the Minority Rights Framework

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Dear Moderator,

There is a major gap between international human rights instruments and the level of protection and promotion of minority rights at the national level. The implementation of international human rights standards at the national level rather depends on the willingness of governments at a large level and the ability of individuals and minority groups to promote and protect their rights in order to live their governments up their commitments and obligations.

As an NGO headquartered in Witten, Germany with representative offices in Brussels and Athens with the special consultative status to the UN ECOSOC and a member of the EU Fundamental Rights Platform, we attach great importance to the application of international human rights law and co-operation of participating States with regional, international and supranational organizations in advancement of rights for persons belonging to national minorities.

The UN Special Rapporteur on Minority Issues has organized a series of Regional Forums focusing on different themes in order to strengthen links with regional organisations so as to raise awareness of minority issues and the protection the rights of minorities, and to provide regional insights and expertise which feed into the thematic work of the Special Rapporteur for his report to the UN Human Rights Council and UN General Assembly. The OSCE High Commissioner on National Minorities Kairat Abdrakhmanov co-organized a series of events in co-operation with the United Nations Office in Geneva and the Council of Europe bodies in order to increase multilateral efforts on protection of rights of minorities in every aspect.

The respect of the rights of persons belonging to minorities is one of the founding values of the European Union and a principle explicitly mentioned in the Treaty on the European Union and any discrimination on the basis of membership of a national minority is explicitly prohibited under Article 21 of the EU Charter of Fundamental Rights. However, the Charter of Fundamental Rights, according to its Article 51 paragraph 1, is addressed to the Member States only when they are implementing Union law.

The European Commission does not have general powers as regards minorities. The main responsibility for policies concerning minorities continues to rest with the Member States, in particular over issues relating to the recognition of the status of minorities, their self-determination and autonomy or the regime governing the use of national minorities.

Member States retain general powers to take decisions about minorities and the European Commission has no general powers to intervene under the EU Treaties. Therefore, any questions submitted to the European Commission by MEPs in Brussels on issues concerning the Turkish community in Western Thrace is given a reply that the Commission has no general competences with respect to issues concerning national minorities.

The protection of national and linguistic minorities and their cultures and languages should be set as a clear competence and obligation in the Treaties of the European Union. The European Parliament, European Commission, Council of Europe and the OSCE should establish a binding legal framework that develops clear principles, norms, and processes for the protection of national minorities. The EU must reconsider the proposals of more than a million citizens, supported by the European Parliament in a resolution with over 75% of the votes cast, as well as by national and regional governments the European petition campaign called the Minority Safepack European Citizens' Initiative which called for the adoption of a set of legal acts to improve the protection of persons belonging to national and linguistic minorities and strengthen cultural and linguistic diversity in the Union. And international organizations should provide technical assistance to minorities and share good practices used by minorities in other countries or regions.

Member States may use all legal instruments available to them to guarantee that fundamental rights of national minorities living on their territories are complied with, including the relevant instruments of the Council of Europe, such as the Framework Convention for the Protection of National Minorities or the European Charter for Regional or Minority Languages. Building on the achievements and experience of the Council of Europe in the area of the Framework Convention for the Protection of National Minorities (FCNM) and the European Charter for Regional or Minority Languages (ECRML), the European Union should initiate and engage in a mutually reinforcing cooperation with the Council of Europe in the area of protecting the rights of national and linguistic minorities and encourage Member States to ratify these two Conventions.

Co-operation among participating States at the international level and co-operation with regional and international organizations in line with their mandates are very important for the advancement and protection of human rights, democracy, the rule of law, and fundamental freedom in full compliance with international humanitarian law and international human rights law.

Aware of the fact that freedom of opinion and expression is essential in democracies, the circulation of hate material on the Internet still remains a serious concern and needs to be balanced. Therefore, States should provide adequate legal responses to hateful propaganda, and they should combat all forms of discrimination, xenophobia and intolerance.

All States should effectively strengthen their mechanisms for identifying hate speech expressed in media outlets including online and social media platforms, which may lead to the manifestation of hate crime, as well as the imposition of relevant sanctions. We call upon all States to ensure that relevant national legislation applies also to racist, xenophobic and anti-Semitic and anti-Muslim offences committed via the Internet and for the swift prosecution of all those responsible for this kind of offences.

To counter prejudices and misrepresentation in majority population, educational and awareness-raising programs should be promoted, and tolerance, dialogue, respect and mutual understanding through the media including the internet should be encouraged.