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Documents distributed at the request of a Representative shall be under the sole responsibility of the said Representative, without prejudice to the legal or political position of the Committee of Ministers.

Meeting: 1501<sup>st</sup> meeting (June 2024) (DH)

Communication from an NGO (Federation of Western Thrace Turks in Europe) (03/06/2024) concerning the group of cases Bekir-Ousta and Others v. Greece (Application No. 35151/05).

Information made available under Rule 9.2 of the Rules of the Committee of Ministers for the supervision of the execution of judgments and of the terms of friendly settlements.

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Réunion : 1501<sup>e</sup> réunion (juin 2024) (DH)

Communication d'une ONG (Federation of Western Thrace Turks in Europe) (03/06/2024) relative au groupe d'affaires Bekir-Ousta et autres c. Grèce (requête n° 35151/05) **[anglais uniquement]**

Informations mises à disposition en vertu de la Règle 9.2 des Règles du Comité des Ministres pour la surveillance de l'exécution des arrêts et des termes des règlements amiables.

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# 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)

DGI Directorate General of Human Rights and Rule of Law  
Department for the Execution of Judgments of the European Court of Human Rights  
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03 JUN 2024

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## COMMUNICATION

In accordance with Rule 9.2. of the Rules of the Committee of Ministers regarding the supervision of the execution of judgments and of terms of friendly settlements by Federation of Western Thrace Turks in Europe (ABTTF)

Witten, 03.06.2024

**Subject:** Decision to close the association dated 28 May 2024 in the second case filed with the request for the revocation of the registration of the Western Thrace Fenerbahçe Culture and Sports Association in connection with the Bekir-Ousta and Others Group (Application No. 35151/05)

Dear Ms. Clare Ovey,

As the President of the Federation of Western Thrace Turks in Europe (ABTTF), I am writing to inform you regarding the outcome of the second lawsuit filed with the request for revocation of the registration of the Western Thrace Fenerbahçe Culture and Sports Association within the framework of the Bekir-Ousta and Others group of cases (Application No. 35151/05) in accordance with Rule 9.2.

In the second case filed with the claim that the name of the fans' association founded in Komotini under the name "Western Thrace Fenerbahçe Culture and Sports Association<sup>1</sup>" is against the law, the Court of First Instance with a Single Judge of Rodopi ruled to revoke the registration of the association on 28 May 2024, regarding the hearing dated 6 September 2023.

As we indicated it in the letters dated 21 March 21 and 6 September 2023, a lawsuit was filed requesting the revocation of the registration of the association, claiming that the name of the fans' association is against the law. As stipulated in the original Greek full text and the unofficial English summary of the second case we sent on 6 September 2023, it was claimed that the expression "Western Thrace" in the name of the association was against the law and public order, and that the use of the

<sup>1</sup> Official Facebook Account: <https://www.facebook.com/batitrakyaafb1907?mibextid=LQQJ4d>

Official Twitter Account: [https://twitter.com/bat\\_dernegi](https://twitter.com/bat_dernegi)

Official Instagram Account: <https://www.instagram.com/batitrakyaafb/>

term “Western Thrace” violated the territorial integrity of the country and that it poses a danger to national sovereignty.

The decision of the relevant court to revoke the registration of the aforementioned association, just a few days before the examination of the Bekir-Ousta and Others group of cases (Application No. 35151/05), which will be held at the CM/DH meeting No. 1501 of the Committee of Ministers of the Council of Europe on 11-13 June 2024, is a constitutes a tremendous disappointment.

While the execution of the ECtHR judgments regarding the Bekir-Ousta group of cases has been pending for the past 16 years, the decision to close the Western Thrace Fenerbahçe Culture and Sports Association is not only a violation of the freedom of association of the Turkish community in Western Thrace, but also a clear attack on the rights and freedoms of our community. Indeed, our aforementioned association is a simple fans’ association and has not acted against the statute to date; it did not take any action that threatened the territorial integrity and national sovereignty of the country as stipulated in the indictment.

As the Turkish community in Western Thrace, our trust in justice in our country has been shaken over the years, and unfortunately it has vanished with the decision taken today. Unfortunately, the situation we are experiencing today shows that the warning we made in February 2024 about democracy and the rule of law in our country Greece, being seriously threatened, was correct and appropriate.

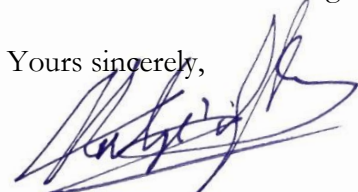
On the other hand, as we highlighted it in the letter we lodged to the Committee of Ministers of the Council of Europe in April 2024, before the CM/DH meeting No. 1501, a Committee was established to conduct research on the execution of the judgments in the Bekir-Ousta and others group of cases in Greece and to make recommendations to the relevant authorities, and there were appointments realised in the aforementioned committee. In fact, it is a step towards prolonging the process. If it were otherwise, we would not have witnessed the decision to close the Western Thrace Fenerbahçe Culture and Sports Association today.

Unfortunately, the court decision on the closure of the Western Thrace Fenerbahçe Culture and Sports Association, which is connected with this group of cases, which the Committee of Ministers continues to examine persistently, shows that the ECtHR judgments and case law are not considered by the national courts.

We inform the Committee of Ministers about the development of the Western Thrace Fenerbahçe Culture and Sports Association and considering this important development of the Committee of Ministers, we urge the Committee to take strong and decisive steps urgently to use all available tools, including the infringement procedure, in the Bekir-Ousta group of cases at the CM/DH meeting No. 1501.

We would like to urge the relevant authorities of the Council of Europe authorities against the alarming and increasingly deteriorating conditions in our country Greece, where democracy and the rule of law are seriously under threat, and we demand that the Secretary General of the Council of Europe and PACE send the strongest political message to Greece about the alarming situation in our country.

Yours sincerely,



Halit Habip Oglu  
ABTTF President