

16th Session of the United Nations Forum on Minority Issues

Item 1: Challenges to Inclusion & Equality: Barriers in social and economic participation of minorities

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Thank you, Madam Cochair for giving me the floor.

Distinguished participants of the Forum,

I am here today representing the Hrant Dink Foundation. Hrant Dink, the founder of the Armenian newspaper *Agos*, devoted his life to the resolution of the problems of minorities, and he was assassinated in 2007. His assassination, which deeply affected the minorities in Turkey, remained largely unpunished. As underlined by the European Court of Human Rights, there was no effective prosecution and Dink's right to life was violated. And his murderer was recently released. I want to begin my statement by emphasizing that the right to life and access to justice are crucial for minority rights.

Turkey is home to various ethnic, religious, and linguistic minorities. However, the state only recognizes Armenians, Greeks, and Jews as official minorities. Even these three groups face numerous challenges concerning the enforcement of minority rights. In this statement, I will specifically focus on the problems encountered by Armenians in Turkey, particularly in terms of social and economic participation. While my talk will center on Armenians, these barriers and recommendations also apply to other non-Muslim groups, such as Greeks, Jews and Syriacs.

One major issue that needs to be addressed is related to labor and trade. Minorities in Turkey face significant barriers when it comes to public employment. For instance, it was not until 2022 that the first Armenian, who was also the first non-Muslim, was appointed to an administrative office. Other than this exceptional and delayed appointment, there are currently no non-Muslims holding positions in the Turkish bureaucracy, including the judicial system, which lacks any non-Muslim prosecutors or judges. This situation also extends to security forces like the police and army.

Moreover, there is no legal framework to prevent employment and workplace discrimination in the private sector. The de facto exclusion of non-Muslims from public employment and the absence of measures against discrimination in the fields of labor and trade create an enormous barrier against the participation of minorities in social and economic life in Turkey.

The second issue that I want to elaborate on is related to education. In Turkey, minority schools, including Armenian schools, do not receive public funds. Despite the fact that they do not charge for tuition, they are considered to be private schools and are taxed as if they are for-profit institutions. These schools play a crucial role in the social life of the Armenian community, especially because public schools do not provide education or even elective courses in Armenian. Due to the taxes and lack of public funding, Armenian schools solely depend on donations. Accordingly, they are facing severe financial difficulties, and many of them are being forced to close. This situation not only undermines the right to education but also endangers the Western Armenian language, which is the mother tongue of Armenians living in Turkey. Moreover, Turkish textbooks tend to portray minorities in a negative light, reinforcing negative attitudes towards minorities and promoting hatred.

Finally, there are several hindrances to Armenian communal life. These barriers primarily concern freedom of association and the right to property. First, the state accepts that the Armenian Patriarchate is only a symbolic, ceremonial institution which does not have a legal persona. Because of this, the patriarchate is not permitted to own or acquire any properties or accept donations. This severely limits its financial resources and capacity.

Additionally, there are numerous property disputes involving Armenian communal organizations, such as foundations, resulting from the confiscation and seizure of their properties. These properties include churches, schools, hospitals, lands, houses and shops. Despite a few symbolic returns in recent years, thousands of cases still need to be resolved. These problems undermine the freedom of association and the right to property. Furthermore, these confiscations and resulting financial difficulties of community organizations affect the range and quality of community services that these institutions provide. These services, which include social assistance, liturgy, education, and health, are crucial for the continuation and protection of Armenian communal life

and identity in Turkey. Moreover, Turkish authorities do not allow the formation of new Armenian foundations that aim to protect Armenian identity and provide communal services to the Armenian community. Due to these barriers and issues, Armenians face a wide range of difficulties in terms of social and economic participation.

I also want to present some recommendations for tackling these problems.

First, I urge the state to follow up on the Council of Europe's recommendation for the adoption of a law against discrimination. This would contribute to the prevention of employment and workplace discrimination and strengthen the participation of minorities in economic and social life in Turkey.

Second, to ease the problems in education, the state should stop the exclusion of minority schools from the public funding scheme. It should not treat these institutions as profit-driven organizations and should exempt them from taxation because they, in fact, carry out a public service.

Third, the state should recognize the communal function of minority foundations and the legal status of the patriarchate and return confiscated and seized properties belonging to the foundations. It should also allow the formation of new minority foundations.

Finally, I want to emphasize that the adoption of an international treaty on minority rights building on the initiative started by the former special rapporteur Fernand de Varennes would contribute to the resolution of these problems. To ensure the materialization of minority rights and putting rights into practice, such a treaty must address the issue of discrimination and barriers to social and economic participation.