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Five-year mufti appointments in Western Thrace and Türkiye's objection

Appointments completed in all three muftiates; the dual-mufti arrangement extends to 2031

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By appointing muftis to Komotini and Xanthi for five-year terms, Greece has now applied the appointment procedure of its 2022 law in all three muftiates of Western Thrace.

Through decrees announced on 22 October, Greece appointed two muftis for five-year terms to the muftiates of Komotini (Gümülcine) and Xanthi (İskeçe) in Western Thrace, the region bordering Türkiye. A mufti is a religious official who manages the religious affairs of the region's Muslims and can rule on certain family law cases. The appointments were made by presidential decrees published in Greece's official gazette. According to an Anadolu Agency (AA) report of 22 October, Bilal Kara Halil was appointed to Komotini and Şükrü Şerif Damatoğlu to Xanthi.

Türkiye's Ministry of Foreign Affairs objected to the appointments in statement No. 207, issued on 24 October. In its reply, the Greek Ministry of Foreign Affairs described Ankara's criticism as interference in Greece's internal affairs. Since 1990, Komotini and Xanthi have each had two muftis, one appointed by the state and one elected by the minority. With these appointments, that arrangement appears set to continue until 2031, when the new muftis' terms expire.

Background to the appointments

The muftiate and the 2022 law

According to Türkiye's Ministry of Foreign Affairs, around 150,000 members of the Muslim Turkish minority live in Western Thrace. The region's three muftiates are in Didymoteicho (Dimetoka), Komotini and Xanthi. They are public bodies under Greece's Ministry of Education, Religious Affairs and Sports. A mufti officiates religious marriages between Muslims and can rule under Islamic law on matters such as marriage, divorce, custody and inheritance for members of the minority.

Greece reorganised the muftiates with Law 4964, adopted in 2022. Under the law, applications are first invited for a vacant muftiate. A 33-member advisory committee then gives an opinion on whether each candidate is suitable for the post. The committee is

chaired by the acting mufti, who runs the muftiate while the post is vacant. Twenty-seven of its members are chosen by lot from among imams, teachers of Islamic religious education, and teaching staff at the madrasa and the university. The Education Minister selects the mufti after considering the committee's opinions, and the appointment is made by presidential decree on the minister's proposal. The term is five years, and the law allows it to be renewed once by ministerial decision. The law also provides that a mufti may hear family and inheritance cases only if both parties to the case apply to him.

How the dual-mufti arrangement arose

According to Türkiye and minority representatives, the minority's right to elect its muftis was recognised in the Treaty of Athens, signed in 1913 after the Balkan Wars. In 1920, Greece also provided for muftis to be chosen by election through Law 2345. The dispute began in 1985, when, after the death of the Mufti of Komotini, Hüseyin Mustafa Efendi, the Greek authorities appointed an interim mufti without holding an election.

A legislative decree issued in December 1990 provided for muftis to be appointed by presidential decree on the proposal of the Education Minister. This decree repealed the 1920 law and was ratified by a law passed in February 1991. The minority held its own election in the same days: on 28 December 1990, those attending Friday prayers in Komotini elected İbrahim Şerif as mufti.

Since 1990, Komotini and Xanthi have each had two separate muftis. The state-appointed mufti exercises the official powers. The minority-elected mufti has no official powers, but the minority and Türkiye recognise these muftis. Today, the minority's elected muftis are İbrahim Şerif in Komotini and Mustafa Trampa in Xanthi. Elected muftis have in the past been prosecuted on charges of "usurping" the functions of a religious minister. In its 1999 judgment in Serif v. Greece, the European Court of Human Rights (ECtHR), which oversees whether member states of the Council of Europe comply with their human rights obligations, ruled that punishing Şerif on this charge violated freedom of religion.

Steps taken this year

Greece first applied the procedure of the 2022 law in Didymoteicho. The mufti appointed under this procedure, Emin Şerif, took his oath in Athens on 9 January and took up office.

On 11 February, President Recep Tayyip Erdoğan and Greek Prime Minister Kyriakos Mitsotakis co-chaired a meeting of the High-Level Cooperation Council in Ankara. The council is a bilateral mechanism that brings together the two countries' leaders and ministers. After the meeting, Erdoğan said he had shared with Mitsotakis Türkiye's expectation that the Turkish minority of Western Thrace should fully enjoy religious freedoms and educational opportunities.

On 8 April, Türkiye's Ministry of Foreign Affairs objected to the Didymoteicho appointment and said Greece intended to take the same step in Komotini and Xanthi. In its reply of 9 April, the Greek Ministry of Foreign Affairs announced that the Didymoteicho appointment had been completed and that applications had opened for the other two muftiates. The decrees announced on 22 October completed this process.

The parties' positions

According to Türkiye's Ministry of Foreign Affairs, Greece is disregarding rights guaranteed by the 1923 Treaty of Lausanne, which also regulates the rights of minorities in both countries, and by other international agreements. The ministry describes the muftiate as an integral part of the minority's religious, social and cultural identity. The statement of 24 October called the appointees "so-called muftis". The ministry urged the Greek authorities to recognise the "legitimate muftis" elected by the minority and to stop imposing appointed muftis. In its official statements, Türkiye refers to the community as the "Turkish minority of Western Thrace".

The Greek Ministry of Foreign Affairs, by contrast, refers to the community as the "Muslim minority of Thrace". According to the ministry's October reply, the Treaty of Lausanne defines the minority by religious rather than ethnic criteria, and its members are Greek citizens. Athens argues that the 2022 law gives members of the minority, including women, a role in the process of selecting muftis. The ministry points out that muftis are also appointed by the state in Türkiye. It states that freedom of religion is a fundamental right, but that invoking it selectively does not justify interfering in another country's internal affairs.

According to Athens's April statement, the Treaty of Lausanne does not provide for the election of muftis. Greece justifies appointing rather than electing muftis on the grounds that they also carry out judicial and administrative duties.

In April, while the process was still under way, İbrahim Şerif, the minority-elected mufti of Komotini, told the Demirören News Agency (DHA) of the muftis Greece would appoint: "As a minority, we still do not accept them."

What the appointments change

Before these appointments, the procedure of the 2022 law had been applied only in Didymoteicho. With the decrees announced on 22 October, the process that opened in April has now been completed in Komotini and Xanthi as well.

The appointments do not end the dual-mufti arrangement. The appointed muftis will remain in office for five years, that is, until 2031, and the law allows this term to be renewed once. The elected muftis retain their standing within the minority but cannot exercise official powers. In practical terms, for the next five years the power to officiate marriages and, where the parties so apply, to hear family law cases will rest with appointed muftis who are recognised neither by the minority's elected muftis nor by Türkiye.

Meeting Türkiye's demand would require Greece to revoke the decrees or amend the law. Athens, however, stated in April that its approach to the minority and the minority's definition under international law would not change. The issue therefore remains among the subjects on which the two countries have not reached agreement in their dialogue. At the February meeting, the two countries signed documents in fields ranging from maritime transport to earthquake preparedness. No joint step was taken on the minority

issue, and in October the two governments repeated the positions they had set out in April.

What to watch

- The two appointed muftis taking their oath and assuming office. Under Law 4964, the acting mufti's term ends automatically once the new mufti takes office.
- The stance of the elected muftis and minority institutions towards the new muftis.
- Whether the minority issue is raised at the next high-level meeting between Türkiye and Greece.
- The appointed muftis' five-year terms will expire in 2031. At that point, Greece's Education Minister will decide whether to renew them.

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