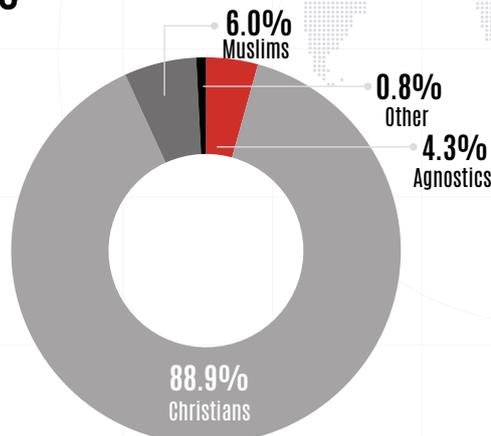




GREECE

RELIGIONS



LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Article 3 of the constitution declares that “the prevailing religion in Greece is that of the Eastern Orthodox Church of Christ”.¹ In November 2018, the then-Prime Minister announced plans to amend Article 3 to declare the country “religiously neutral”, but in November 2019 the Parliament did not vote for such a change.² Article 5 guarantees all persons within the Greek territory “full protection of their life, honour and liberty irrespective of nationality, race or language and of religious or political beliefs.”

Freedom of religion and conscience are guaranteed by Article 13, which states that “all known religions shall be free and their rites of worship shall be performed unhindered and under the protection of law.” This article also prohibits proselytism and offences of public order through rites of worship. It is further specified that the ministers of all known religions have the same obligations as those of the Greek Orthodox Church (GOC) and are likewise subject to the same state supervision. Incitement to violence, discrimination, or hatred based on religion is illegal.³

The recognised Muslim minority of Thrace has the right to

maintain mosques and social and charitable organisations (awqaaf). Three muftis in Thrace are appointed in consultation with a committee of Muslim leaders by the Greek government to 10-year terms,⁴ but they must retire by the age of 67.⁵ According to the United States Department of State, some members of the Muslim community continued to object to the practice of appointing Muftis by the government, rather than by their own method.⁶

The law permits official muftis in Thrace to adjudicate family matters based on Shari’a, provided they receive an “explicit irrevocable declaration of each party” that they agree to such jurisdiction.⁷ Operating expenses for the muftiates in Thrace are borne by the budget of the Ministry of Education and Religious Affairs under the supervision of the Ministry of Finance.⁸

Article 16 defines education as a “basic mission for the State” and includes “the development of national and religious consciousness.” Greek Orthodox religious classes are taught in primary and secondary school. In 2017 the government modified how religion would be taught in schools, changing the focus from teaching Orthodox Christianity to a “more general religious education,” but in September 2019 the Council of State ruled that such changes were unconstitutional.⁹ Students may be exempted from

religious education upon request of their parents.¹⁰ Islamic religious instruction in public schools in Thrace is available for the recognised Muslim minority, and Catholic religious instruction is offered on the islands of Tinos and Syros.¹¹

In October 2019, the European Court of Human Rights ruled that Greece's system of exempting children from religious education violated the European Convention of Human Rights by requiring parents to "submit a solemn declaration saying that their children are not Orthodox Christians." The court said this was an undue interference with individual conscience and could also deter parents from seeking exemptions.¹²

The Greek Education Ministry's closure of eight Muslim minority schools in Western Thrace in 2020, which was criticised by Turkey's Foreign Ministry as an attempt at "assimilation", was defended by the government as a decision "made equally and without discrimination . . . based solely on the quality of education provided and the interest of the students." The number of Muslim minority schools has gone from 231 in 1995 to 115 in 2020.¹³

Article 1 of the "Law on Organisation of the Legal Form of Religious Communities and their Organisations"¹⁴ defines "religious communities" as "a sufficient number of individuals with a specific Confession of Faith in a 'known religion' – that is, "the religion that has no hidden beliefs but clear dogmas and its worship is free and accessible to everyone." Article 16 of the law states that the GOC, as well as the Jewish and Muslim communities, have traditionally been recognised as official religious legal entities. Other religious communities such as the Roman Catholics, Anglicans, Ethiopian Orthodox, Copts, Armenian Orthodox, Assyrian Orthodox, as well as two Evangelical groups, received official recognition as legal entities through Article 13. With such recognition, a religious group becomes a "known religion," as specified in Article 17. This allows each to legally transfer property as well as to operate houses of worship, monastic institutions and generally meeting houses for religious purposes. Article 3 describes the process of registration.

In July 2019, the country's blasphemy law was removed from the Penal Code. Five months later, on 11th November 2019, the new government announced a reinstatement of the law. However, the day after, the Minister of Justice announced they were withdrawing that decision due to public outcry.¹⁵

In November 2019, Greece adopted the International Ho-

locoust Remembrance Alliance's working definition of anti-Semitism and was the first country to adopt the IHRA's definition of "Holocaust denial and distortion."¹⁶

Until November 2020, Athens was the only European capital without a mosque. However, the Votanikos Mosque in Athens opened after 15 years of delays and protests. The secretary general at the Ministry of Education and Religious Affairs estimated there were about 70 informal mosques, only 10 licenced by the government, which "poses a security risk."¹⁷

INCIDENTS AND DEVELOPMENTS

Due to coronavirus restrictions, capacity at places of worship was severely limited. For example, in November, at the newly-opened mosque in Athens, capacity was limited to 12 people and it was only open for five days before a nationwide lockdown. The mosque and other places of worship were permitted to re-open for the Christmas holiday after the government announced: "We have decided, without discrimination, that every place of worship can conduct services and prayers [on Christmas day] as long as congregations are limited to 25 people."¹⁸

There were 524 incidents targeting "places of religious significance" in 2019, according to the Ministry of Education's Department of Religious Freedom and Interfaith Relations, 514 of which targeted Christian places (504 Orthodox), five Jewish places, and five Muslim places. Incidents ranged from vandalism and placement of explosive devices, to theft and desecration.¹⁹ Official figures for religion-biased crimes in 2018 and 2019 were not reported to the Organization for Security and Co-operation in Europe for inclusion in the annual hate crime report, but civil society groups provided data on incidents.²⁰

The difficulty of separating hate crimes based on ethnicity from those based on religion provides an ongoing challenge for the country. Greece continued to be one of the United Nations Refugee Agency's largest operations in Europe due to its steady flow of refugees and migrants, with the main countries of origin being Syria and Afghanistan, mostly arriving through Turkey.²¹ Hostility towards migrants surged after Turkish President Erdogan said he was "opening the doors" at the border with Greece for refugees to enter Europe in March 2020.²² The "Racist Violence Recording Network's 2019" report documented 100 bias-motivated incidents, approximately half of which were against migrants, refugees, or asylum seekers. It is

unclear, however, whether those victims were targeted for their religion or for racist or xenophobic reasons.²³

According to the “European Islamophobia Report 2019”, published by an Ankara-based think-tank, “Islamophobia in Greece is primarily found on the discursive level, while physical attacks . . . remain fewer compared to other European countries.”²⁴ The report also noted the challenge of determining the bias motivating attacks on migrant communities. Anti-migration demonstrations included slogans like “No to the Islamification of Greece”.²⁵ Incidents in Western Thrace reflected what the authors described as “Turcophobia” – that is, targeting Muslim places with anti-Turkish slogans.²⁶

In 2020, a civil society organisation reported challenges faced by women in refugee detention centres, including the testimony of a woman who said “They forbade us to wear our headscarves and told us: ‘Out of here you can be Muslims, but not here! Here you are Christians.’”²⁷

14 incidents with an anti-Muslim bias were reported to the OSCE by civil society groups in 2019, including a physical attack on a Shi’a Muslim man by Sunni Muslims due to his refusal to participate in morning prayers in February, an attack on refugees near a mosque in April, and harassment of female refugees in July, ending with one woman’s headscarf being torn off. Property crimes included vandalism of mosques, cemeteries, and a Muslim minority school.²⁸ In 2018, three cases were reported: assaults on female refugees, telephone threats, and the vandalism of a mosque with xenophobic and anti-Turkish graffiti.²⁹

According to the Anti-Defamation League, anti-Semitism in Greece “does not have a violent character . . . manifestations include vandalism [and] hate speech.”³⁰ 13 incidents were reported to the OSCE for 2019 including several attacks on Holocaust memorials and vandalism of cemeteries.³¹ The National Herald reported vandalism in 2019 and 2018 at the monuments to Holocaust victims in Trikala and Thessaloniki and at Jewish cemeteries in Trikala and

Athens.³² 22 incidents were reported to the OSCE in 2018, all of which were attacks against property, including graffiti, threats, and the destruction of Jewish tombstones in cemeteries. In October 2018, 40 tombstones were doused with oil in a Jewish cemetery.³³

According to the government, the majority of incidents targeting religious places were directed at Orthodox sites.³⁴ Examples of 2019 incidents reported to the OSCE by civil society groups included threats against a Christian convert asylum seeker and his Bible being thrown against a wall, churches being vandalised and set on fire, and the targeting of Jehovah’s Witnesses.³⁵

In July 2018, two Iranian Christian families were assaulted with knives and threatened with death by a group of more than 30 people at a refugee camp after a Bible study. “The attackers poured petrol over the cabin where they were meeting, and threatened to set it alight. They beat up the men and held knives to the throats of the two women and children, while telling them, ‘This is a Muslim camp. You have to leave’.”³⁶ In December 2018, an anarchist group claimed responsibility for detonating an explosive device at an Athens church.³⁷

PROSPECTS FOR FREEDOM OF RELIGION

While there have not been significant governmental restrictions to religious freedom in the country during the reporting period, the societal dimension remains challenged by the ongoing refugee crisis. The geographic proximity and influence on the Muslim minority in Thrace of Turkey adds a layer of potential uncertainty in the country, but the authorities appear willing to protect both minority and majority religious believers and to maintain stability. Prospects for the peaceful exercise of this freedom have deteriorated during the period under review, and are likely to continue their negative course.

SOURCES / ENDNOTES

- 1 Greece 1975 (rev. 2008), Constitute Project, https://constituteproject.org/constitution/Greece_2008?lang=en (accessed 5th February 2021).
- 2 Nasos Smirneos, “‘If you take the house, I’ll take the kids’: State vs. Church in Greece,” *The New Federalist*, 3rd January 2021, <https://www.thenewfederalist.eu/if-you-take-the-house-i-ll-take-the-kids-state-vs-church-in-greece?lang=fr>; (accessed 5th February 2021); “Parliament completes constitutional revision approving nine changes,” *Ekathimerini*, 25th November 2019, <https://www.ekathimerini.com/246837/article/ekathimerini/news/parliament-completes-constitutional-revision-approving-nine-changes> (both accessed 5th February 2021).
- 3 Eda Gemi, “GREASE Country Profile: Greece,” *Radicalisation, Secularism and the Governance of Religion: Bringing together European and Asian Perspectives (GREASE)*, November 2019, <http://grease.eu.eu/wp-content/uploads/sites/8/2019/11/GREASE-Profile.pdf> (accessed 6th February 2021).
- 4 U.S. Department of State, “Greece 2019 Human Rights Report,” Bureau of Democracy, Human Rights and Labor, <https://www.state.gov/wp-con>

tent/uploads/2020/02/GREECE-2019-HUMAN-RIGHTS-REPORT.pdf (accessed 8th February 2021).

5 Law 4559/2018, Article 48, Amendment on Muftiates: Explanatory Memorandum, https://www.minedu.gov.gr/publications/docs2018/Law_4559_2018_article_48_Amendment_on_Muftiates.pdf (accessed 8th February 2021).

6 Office of International Religious Freedom, “Greece,” 2019 Report on Religious Freedom, U.S. Department of State, <https://www.state.gov/reports/2019-report-on-international-religious-freedom/greece/> (accessed 8th February 2021).

7 Presidential Decree 52/2019 Procedural rules on cases under the jurisdiction of the Muftis of Thrace - Establishment, organization and operation of the Directorate for cases under the Mufti’s jurisdiction at the Muftiates in Thrace, https://www.minedu.gov.gr/publications/docs2020/Presidential_Decree_52_2019_Procedural_rules_on_cases_under_the_Muftis_jurisdiction.pdf (accessed 8th February 2021).

8 Law 4559/2018, Article 48, Amendment on Muftiates, op. cit.

9 Nick Kampouris, “Previous SYRIZA Government’s Reforms to Religious Education Ruled Unconstitutional,” Greek Reporter, 30th September 2019, <https://greekreporter.com/2019/09/20/previous-syriza-governments-reforms-to-religious-education-ruled-unconstitutional/> (accessed 6th February 2021).

10 “GREASE Country Profile: Greece,” op. cit.

11 Ibid.

12 “Greece breaks EU rules on religious education classes,” Ekathimerini, 31st October 2019, <https://www.ekathimerini.com/245997/article/ekathimerini/news/greece-breaks-eu-rules-on-religious-education-classes> (accessed 6th February 2021).

13 Andriana Simos, “Greece’s closure of minority schools in Western Thrace slammed by Turkey as ‘assimilation’,” The Greek Herald, 13th August 2020, <https://greekherald.com.au/news/greece/greeces-closure-minority-schools-western-thrace-slammed-turkey-assimilation/> (accessed 7th February 2021).

14 Law 4301/2014 Organization of the Legal Form of Religious Communities and their organizations in Greece, https://www.minedu.gov.gr/publications/docs2014/publications/Law_4301_-2014_Organization_of_the_legal_form_of_religious_communities_and_their_organizations_in_Greece.pdf (accessed 6th February 2021).

15 Nick Kampouris, “Government Reintroduces Criminalization of Blasphemy; Toughens Pedophile Sentences,” Greek Reporter, 11th November 2019, <https://greekreporter.com/2019/11/11/government-reintroduces-criminalization-of-blasphemy-toughens-pedophile-sentences/>; Nick Kampouris “Greece Scraps Reinstatement of Blasphemy Law Following Public Outcry,” Greek Reporter, 12th November 2019, <https://greekreporter.com/2019/11/12/greece-scraps-reinstatement-of-blasphemy-law-following-public-outcry/> (both accessed 5th November 2021).

16 “Greece adopts IHRA’s definition of anti-Semitism, Holocaust denial,” Ekathimerini, 8th November 2019, <https://www.ekathimerini.com/246294/article/ekathimerini/news/greece-adopts-ihras-definition-of-anti-semitism-holocaust-denial> (accessed 4th February 2021).

17 Helena Smith, “Athens’ first official mosque permitted to reopen for Christmas,” The Guardian, 24th December 2020, <https://www.theguardian.com/world/2020/dec/24/athens-first-official-mosque-permitted-to-reopen-for-christmas> (accessed 8th February 2021).

18 Ibid; Tefvik Durul, “1st Friday prayer held in Athens’ only mosque,” Anadolu Agency, 6th November 2020, <https://www.aa.com.tr/en/europe/1st-friday-prayer-held-in-athens-only-mosque-2034667> (accessed 8th February 2021).

19 “Περιστατικά εις βάρος χάρων θρησκευτικής σημασίας στην Ελλάδα: ΕΚΘΕΣΗ 2019,” Υπουργείο Παιδείας Και Θρησκευμάτων Γενική Γραμματεία Θρησκευμάτων Διεύθυνση Θρησκευτικής Εκπαίδευσης Και Διαθρησκευτικών Σχέσεων Τμήμα Θρησκευτικών Ελευθεριών Και Διαθρησκευτικών Σχέσεων, p. 9, https://www.minedu.gov.gr/publications/docs2020/%CE%88%CE%BA%CE%B8%CE%B5%CF%83%CE%B7%202019_opt.pdf (accessed 8th February 2021).

20 Office for Democratic Institutions and Human Rights, “2019 Hate Crime Reporting – Greece,” Organization for Security and Co-operation in Europe, <https://hatecrime.osce.org/greece?year=2019>; Office for Democratic Institutions and Human Rights, “2018 Hate Crime Reporting – Greece,” Organization for Security and Co-operation in Europe, <https://hatecrime.osce.org/greece?year=2018> (both accessed 8th February 2021).

21 “Greece: Operational environment 2021,” UNHCR, <https://reporting.unhcr.org/node/14851?y=2021#year> (accessed 8th February 2021).

22 “Greece migrant crisis: Refugee centre ablaze as tensions rise,” BBC News, 7th March 2020, <https://www.bbc.com/news/world-europe-51781394> (accessed 7th February 2021).

23 “Συνέντευξη Τύπου και Συζήτηση με αφορμή την Παρουσίαση της Ετήσιας Έκθεσης 2019,” Δίκτυο Καταγραφής Περιστατικών Ρατσιστικής Βίας, 16th June 2020, http://rvrn.org/2020/06/etisia_ekthesi_2019/ (accessed 8th February 2021).

24 A. Huseyinoglu, A. Sakellariou, “Islamophobia in Greece: National Report 2019,” in E. Bayraklı & F. Hafez, European Islamophobia Report 2018, SETA, Istanbul, pp. 364-365, <https://www.islamophobiaeurope.com/wp-content/uploads/2020/08/2019eir-GREECE.pdf> (accessed 8th February 2021).

25 Ibid, p. 366.

26 Ibid, p. 364.

27 “Φρικιαστικές μαρτυρίες γυναικών από την Πέτρου Ράλλη,” Efsyn, 5th January 2020, https://www.efsyn.gr/ellada/dikaiomata/225643_frikias-tikes-martyries-gynaikon-apo-tin-petroy-ralli (accessed 8th February 2021).

28 “2019 Hate Crime Reporting – Greece,” op. cit.

29 “2018 Hate Crime Reporting – Greece,” op. cit.

30 “Anti-Semitism in Greece: A Country Report,” Anti-Defamation League, <https://www.adl.org/resources/reports/anti-semitism-in-greece-a-country-report> (accessed 8th February 2021).

31 “2019 Hate Crime Reporting – Greece,” op. cit.

32 “More Anti-Semitism in Greece: Holocaust Memorial Vandalized,” The National Herald, 19th March 2019, https://www.thenationalherald.com/archive_general_news_greece/arthro/more_anti_semitism_in_greece_holocaust_memorial_vandalized-49831/ (accessed 8th February 2021).

33 “2018 Hate Crime Reporting – Greece,” op. cit.

34 “Περιστατικά εις βάρος χάρων θρησκευτικής σημασίας στην Ελλάδα: ΕΚΘΕΣΗ 2019,” op. cit.

35 “2019 Hate Crime Reporting – Greece,” op. cit.

36 “Attack on seven Iranian Christians exposes religious minorities’ ‘extreme vulnerability’ in refugee camps,” World Watch Monitor, 10th July 2018, <https://www.worldwatchmonitor.org/2018/07/attack-on-seven-iranian-christians-exposes-extreme-vulnerability-in-refugee-camps/> (accessed 8th February 2021).

37 Sarah Souli, “Why Is Greece Such a Hot Spot of Left-Wing Terrorism?” The New Republic, 18th January 2019, <https://newrepublic.com/article/152918/greece-hot-spot-left-wing-terrorism> (accessed 8th February 2021).