

**OSCE HUMAN DIMENSION IMPLEMENTATION MEETING
WORKING SESSION 7:TOLERANCE AND NON-DISCRIMINATION II**

**STATEMENT BY THE GREEK DELEGATION
in exercise of its Right of Reply**

With regard to concerns raised about the use of the Sharia in family law matters of members of the Muslim minority in Thrace, we would like to stress the following:

The choice on whether to use the Sharia or the Greek Civil Code in the above mentioned matters is made by the members of the Muslim minority. They are absolutely free to address themselves either to the local Muftis or the civil courts. In case they choose the former, the Sharia is implemented to the extent that its rules are not in conflict with fundamental values of the Greek society and the Greek legal and constitutional order.

In order to reconcile Islamic law with the Greek public order and the international obligations assumed by Greece, in particular, in the field of gender equality, Article 5 (3) of Law 1920/1991 provides that the courts shall not enforce decisions of the Muftis which are contrary to the Greek Constitution. In this respect, derogations from civil law provisions are minor: concepts such as polygamy, marriage below legal age without court permission, marriage by proxy, repudiation etc. are not allowed. Any practice contrary to fundamental values can indeed be challenged through this principle.

It is important to clarify that in Greece there are no “parallel legal orders” or “separate societies”, depending on the religious affiliation of Greek citizens. Muslim women of the minority are fully included in gender equality policies and participate in relevant programs implemented by the competent authorities.

Having said that, we would like to underline that Greece is prepared to abolish the application of the Sharia law to members of the Muslim minority in Thrace, when this is requested by the interested parties, whom it affects directly.