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SESSION II: Revisiting the normative status and scope of the right to freedom of religion or belief
– issues of conceptualization and the challenge of implementing OSCE commitments

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Teaching of Islam to the Turkish children in Greek state schools in the region of Western Thrace

Dear Moderator,
Distinguished representatives,
Delegates and NGO representatives,

The freedom of religion or belief is a fundamental right enshrined in many international documents and OSCE commitments. Ever since the 1975 Helsinki Final Act, freedom of thought, conscience, religion, or belief has been one of the core commitments that each of the OSCE's participating States has agreed to respect. The OSCE participating States in Copenhagen 1990 reaffirmed that persons belonging to national minorities have the right freely to profess and practice their religion, including acquisition, possession and use of religious materials, and to conduct religious educational activities in their mother tongue.

The Toledo Guiding Principles on Teaching about Religions and Beliefs in Public Schools prepared by the ODIHR Advisory Council of Experts on Freedom of Religion or Belief in 2007 notes that there are a number of important legal factors including the interests of minority and religious communities that have to be taken into account when teaching about religions and beliefs in state schools. In developing implementing programmes related to teaching about religions and beliefs, attention needs to be paid to the rights and distinctive needs of minority groups.

The Hague Recommendations, prepared under the auspices of the HCNM, were developed with a primary focus on the issues of national ethnic minorities, they have obvious relevance to issues of concern to religious communities, whether or not they are ethnic minorities as well. The Hague recommendations raises six points with strong relevance to teaching religion in state schools. First, "States should consistently adhere to the fundamental principles of equality and non-discrimination" (Recommendation No. 2). Second, "States should approach minority education rights in a proactive manner" (Recommendation No. 4). Third, just as importance and value should be attached "to the highlighting of minority histories, cultures and traditions," so attention should be paid to the teaching of the "histories, cultures and traditions" of religious communities that are present in a

particular school (Recommendation No. 19). Fourth, “States should create conditions [...] [allowing national minorities] to participate, in a meaningful way, in the development and implementation of policies and programmes related to minority education” (Recommendation No.5). Curriculum content “should be developed with the active participation of bodies representative of the minorities in question” (Recommendation No.20). Any programme will need to make selections and choices, but inaccurate or disrespectful coverage should be subject to challenge and correction, and sound justifications for selections should be available. Finally, in accordance with a variety of international instruments, “the right of minorities to maintain their collective identity” should be respected” (Recommendation No. 1).

Teaching of Islam to the Turkish children in the Greek state schools in the region of Western Thrace under Law 4115/2013 does not take into account any of points raised in the Hague recommendations. The religious autonomy of the Muslim Turkish community in Western Thrace, which is officially recognized as Muslim minority in Thrace by Greek authorities, which was granted with the 1923 Lausanne Treaty has been undermined and diminished by governmental practices over years through legislations without prior consultation or opinion sharing with the representatives of the Turkish community.

Law on Muslim Preachers (4115/2013), which replaced the Articles 36 to 39 of Law 3536/2007, envisages appointment of 240 “Quran teachers” who offer their services in the public schools of primary and secondary education and mosques in Western Thrace under the auspices of the official muftis who are appointed by the State itself. Law 4115/2013 start implemented in August 2013 and 63 religious officers, among whom only 3 are university graduates, started to teach Islam and Quran in Greek in public schools of secondary education in Western Thrace in January 2014 despite strong opposition by members of the Turkish community.

Despite strong objection to this legislation, so-called “Law on 240 Imams” among members of the Turkish community, religious instructors have been trained and textbooks for teaching Islam in Greek state schools in the region of Western Thrace are being prepared. It should be reminded there that the mother tongue of the minority children is Turkish, and the minority children in the state schools will learn their own religion Islam in Greek under Law 4115/2013. European Muslim Initiative for Social Cohesion (EMISCO) and the Federal Union of European Nationalities(FUEN) expressed their deep concern about the situation in Western Thrace and noted that the legislation violated the religious autonomy of the minority by abrogating the right to choose their own clergymen to teach Quran.

Law 4115/2013 has been first implemented in public schools in 2013, not in the mosques which belong to the community in minority villages. However, a religious instructor i.e. muezzin has been appointed to the mosque in the village of Mega Derio. This is against the well-established traditions since in all the villages in Western Thrace where Muslims employ imams and muezzins themselves. However, on March 14, 2014, in that village, many uniformed police officers deployed themselves in the coffee house of the village just half an hour before the Friday Adhan. The instructor walked into the mosque with apparent intention to lead the service. The community in the mosque of course did not allow him. But those police officers asked the people coming out of the mosque if he could lead the prayer or not. This police escort continued several weeks.

The new legislation would in practice allow the government to exercise state control over religion through the appointment of religious officers i.e. Imams to mosques and state schools under the realm authority of the official Muftis (appointed) in Xanthi, Komotini and in Didymoteicho, whom are not accepted and recognized by members of the Muslim Turkish community due to a long-standing Mufti issue in Greece.

We regret that the Muslim Turkish community in Western Thrace has no right to take a part in decision-making processes in issues which directly affect its daily life. We, again, request from Greek authorities to repeal Law 4115/2013 and respect freedom of religion or belief, including the right to choose their own clergyman to teach Quran.

We would like to the OSCE/ODIHR Advisory Panel of Experts on Freedom of Religion or Belief to ensure that the participating States respect the right of the religious minorities and communities to select, appoint and replace their personnel in accordance with their respective requirements and standards in accordance with Vienna 1989, Questions Relating to Security in Europe.