

WARSAW, 10 October 2006

**OSCE HDIM-WORKING SESSION 13:
Fundamental Freedoms II**

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

1. I would like to mention some recent developments furthering protection of the freedom of religion in my country:

-A law allowing cremation of the deceased has been adopted;

-a legislative provision, providing that the opinion (of a non-binding character) of the local Orthodox Bishop was to be sought in order to issue a permit to build and to operate a non-Orthodox place of worship has been abolished;

-the Holy Synod of the Church of Greece has recently announced its decision to cede use of land in the area of Schistos near Athens to the competent Municipality for the establishment of a Muslim cemetery;

-the new immigration law provides for the issuing of a residence permit for ministers of all known religions, who are third country nationals;

-most recently, a draft law was presented before Parliament, providing for the construction of a mosque near the center of Athens, funded by the State. The mosque will be built on a plot of land which will be ceded by the State. It will be run by a Management Committee, in which representatives of Muslims living in Athens and the Attica region will also participate.

2. According to article 3 (1) of the Constitution, “the prevailing religion in Greece is that of the Eastern Orthodox Church of Christ”. It should be noted that the said provision does not go so far as to characterize the Orthodox Church as official or State Church; this article characterizes the religion of the Orthodox Church as the “prevailing”

religion, which means the religion of the majority of the Greek people. In other words, the provision under consideration constitutes a pragmatic recognition of the fundamental role that the Orthodox religion has played, and continues to play, in the history and cultural life of the Greek nation. In no way, however, does this imply that the Constitution grants a hegemonic role to the Orthodox Church, nor does it justify any discrimination against other religious groups.

3. Muslims in Thrace carry out their religious duties and follow their traditions without any restrictions. There are more than 300 Muslim places of worship, officiated by around 400 Muslim clerics. The mosques are well kept by the Wakif committees and protected by the state, which also contributes financially, if needed.

The Muftis, as spiritual leaders of the Muslim community, throughout the world, and in Turkey itself, are appointed and not elected. In Greece, the appointment of the Muftis is being effected through a transparent procedure in which prominent members of the Minority are consulted. A further reason for the appointment of Muftis by the Administration is that they perform, in accordance with Islamic practice, certain judicial and administrative functions, in matters of family and inheritance law.