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Greece

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

July-December, 2010 International Religious Freedom Report

Report

September 13, 2011

The constitution and other laws and policies protect religious freedom and, in practice, the government generally enforced these protections.

The government generally respected religious freedom in law and in practice. There was no change in the status of respect for religious freedom by the government during the reporting period.

There were some reports of societal abuses or discrimination based on religious affiliation, belief, or practice; however, prominent social and political leaders took positive steps to promote religious freedom.

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human rights.

Section I. Religious Demography

The country has an area of 50,945 square miles and a population of 11.3 million. The government does not keep statistics on religious groups. An estimated 98 percent of the population identifies itself as Greek Orthodox. An officially recognized Muslim minority of an estimated 140,000 to 150,000 members resides in Thrace (Northern Greece). The remaining population is composed of Roman Catholics, Protestants, Jews, Old Calendarist Orthodox, Jehovah's Witnesses, members of The Church of Jesus Christ of Latter-day Saints (Mormons), Scientologists, Bahais, Hare Krishna devotees, and followers of polytheistic Hellenic religions. Church leaders estimated that 30 percent of self-identified Orthodox regularly participate in religious services.

Nongovernmental organizations (NGOs) estimate that between 500,000 and 700,000 Muslims reside in Athens as a result of longstanding migration from Albania and a recent influx of illegal immigrants and refugees from Afghanistan, Pakistan, north Africa, and south Asia.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

Please refer to Appendix C in the *Country Reports on Human Rights Practices* for the status of the government's acceptance of international legal standards <http://www.state.gov/g/drl/rls/hrrpt/2010/appendices/index.htm>.

The constitution and other laws and policies protect religious freedom and, in practice, the government generally enforced these protections. Citizens and registered organizations can sue the government for violations of religious freedom. The constitution and law prohibit proselytizing.

The government recognizes the canon law of the Orthodox Church, both within the church and in areas of civil law such as marriage. Privileges and legal prerogatives granted to the Orthodox Church were not routinely extended to other religious groups.

The government financially supports the Orthodox Church; for example, the government pays for the salaries and religious training of clergy, finances the maintenance of Orthodox Church buildings, and exempts from tax Orthodox Church's revenues from properties it owns. Orthodox religious instruction in primary and secondary schools, at government expense, is mandatory for all students, although non-Orthodox students may exempt themselves. However, public schools offer no alternative activity or non-Orthodox religious instruction for these children. Many private schools offer alternative religious instruction to their students.

The law requires all civil servants to take a religious oath before entering office. Persons not belonging to the Orthodox Church may take an oath in accordance with their own beliefs. In October 2009 34 members of parliament refused to take a religious oath during swearing-in ceremonies and were allowed to take a secular oath.

In June the European Court of Human Rights (ECHR) ruled against the country for violating religious freedom in its court procedures. The country's courts require all participants to take an Orthodox Christian oath on a Bible; individuals may opt for another oath or a nonreligious declaration but only if they reveal their religion in court. The ECHR ruled that this obligation to reveal one's religious convictions in a courtroom violated religious freedom. By year's end there was no change in practice to comply with the ECHR ruling.

As interpreted, the 1923 Treaty of Lausanne gives the Muslim minority in Thrace the right to maintain social and charitable organizations called *auqaf*, allows muftis to render religious judicial services (under Islamic law, Sharia) in the area of family law, and provides certain rights. In Thrace the government operated secular bilingual schools and two Islamic religious schools (termed "ecclesiastical high schools" by the government). The government gives special consideration to Muslim minority students from Thrace for admission to universities and technical institutes, setting aside 0.5 percent of the total number of places for them annually and implementing a program during university entrance exams that accepts lower passing scores.

The government maintains that Muslims living outside Thrace are not covered by the Treaty of Lausanne and, therefore, do not enjoy those rights provided by the treaty. Some Muslims on the Dodecanese Islands claimed they deserved the recognition and rights provided under the treaty.

The government recognized Sharia as the law regulating family and civic issues such as marriage, divorce, custody of children, and inheritance for Muslims who reside in Thrace. Members of the Muslim minority also have the right to have a civil marriage and take their cases to civil court. Muslims married by a government-appointed mufti are subject to Sharia family law but may appeal to the courts for a hearing under secular law.

The muftis in Thrace make judicial decisions based on Sharia, most of which has not been translated into Greek, limiting the courts' ability to provide judicial oversight. First instance courts in Thrace routinely ratified the decisions of the muftis, who have judicial powers in civil and domestic matters. The National Human Rights Committee (an autonomous body that advises the government on human rights) and other human rights organizations stated that the government should limit the powers of the muftis to religious duties only and not recognize Sharia, since it can restrict the civil rights of some citizens, especially women.

The UN High Commissioner for Human Rights expressed concern regarding the impediments that Muslim women in Thrace face under Sharia. Human rights NGOs and media reports characterized Sharia as discriminatory against women, especially in child custody, divorce, and inheritance cases. The UN independent expert on minority issues highlighted in February 2009 that the application of Sharia in some instances subjected Muslim women to norms incompatible with the constitution, legislation, and international standards, particularly with respect to underage marriages. Between 2006-09, Council of Europe and UN experts on minority issues reported that they were informed of cases of both early marriages and marriages by proxy. Local muftis stated that the bulk of the cases concerned the Romani community and denied conducting any marriages by proxy since 2006. According to the muftis, early marriages take place only with a prosecutor's permission.

While Orthodox officials have an exclusive institutionalized link with the Ministry of Education and Religious Affairs to handle administrative matters, including personnel and salaries, several other religious groups reported difficulties in dealing with authorities on a variety of administrative matters.

Nonrecognized Muslim leaders outside Thrace receive no government support, nor do other religious groups. Some groups, such as the Jewish community and Jehovah's Witnesses, have requested equal treatment with the Orthodox Church with regard to legal status and financial support from the government. Leaders of non-Orthodox religious groups claimed that taxes on their organizations were discriminatory because the government subsidizes Orthodox Church activities and does not tax revenues from Orthodox Church properties. Members of many religious groups stated that the government should tax and subsidize all religious entities on the same basis. In 2006 the Supreme Administrative Court dismissed on technical grounds an appeal by Jehovah's Witnesses over property taxation of their headquarters. When the area was rezoned, Orthodox Church properties were exempt from rezoning fees; the Jehovah's Witnesses claimed that, as a "recognized religion," they should also be exempt. The case remained pending at year's end.

The Orthodox Church, Jews, and Muslims (as part of the officially recognized Muslim minority in Thrace) are the only religious groups deemed to be "legal entities of public law," able to own, bequeath, and inherit property and appear in court under their own names as recognized religious organizations. Other religious organizations must be registered as "legal entities of private law" and cannot own houses of prayer (approved places of worship) or other property as religious entities. They must create other corporate legal entities (such as nonprofit associations) to own, bequeath, or inherit property, or to appear in court. To be recognized as a religious "legal entity of private law," a religious group must represent a "known religion" or dogma. Court rulings define "known religions" as having publicly taught doctrine with rites of worship open to the public, being nonprofit in nature, not affecting public order or morality adversely, and having a clear hierarchy of religious authorities.

The Ministry of Education and Religion indirectly recognizes groups as "known religions" by issuing house-of-prayer permits to them. A separate permit is required for each physical place of worship, but a religious group with at least one valid permit is considered a known religion and is protected under freedom of religion laws. Some religious groups, including Catholics, Pentecostals, Bahais, Methodists, Mormons, evangelical Protestants, and Jehovah's Witnesses, are recognized as known religions. Other groups, such as Scientologists, Hare Krishna devotees, and polytheistic Hellenic religious groups have applied for (but not received) house-of-prayer permits. Some religious groups faced additional legal

and administrative burdens because they cannot function as religious legal entities. Scientologists and members of polytheistic Hellenic religious groups practice their faiths as registered nonprofit civil law organizations. Without the recognition afforded by house-of-prayer permits, weddings officiated by religious leaders are not legally recognized. The Bahais and members of other religious groups have expressed a desire to operate within a legal framework as fully recognized religions enjoying equal rights with the Orthodox Church, rather than as private associations.

The Ministry of Education and Religious Affairs issued 10 house-of-prayer permits to "known religions" during the year. The ministry rejected the application of the "Center of Buddhist Studies" on administrative grounds and disapproved seven applications by worshippers of various ancient gods as not meeting the criteria to be recognized as a "known religion" as defined by current legislation. Nine applications from six other religious groups remained pending.

A legal case challenging an Orthodox Church bishop's claim that Jehovah's Witnesses cannot use the word "Christian" on their house-of-prayer permits has been pending before the Supreme Administrative Court since 2005.

In 2008 the government announced the additional requirement that applicants receive approval from the local urban planning department, attesting that a place of worship meets city planning regulations and "safe congregation" requirements, to receive house-of-prayer permits. Members of some religious groups complained that the government's policy was a bureaucratic obstacle.

Roman Catholic churches and related religious bodies established prior to 1946 are legally recognized as private entities, but Catholic institutions established after 1946 are not extended the same automatic recognition. Since 1999 the Catholic Church has unsuccessfully sought government recognition of its canon law. During the reporting period, Catholic leaders also complained that funds promised by the government to repair the Catholic Cathedral of Athens, damaged in a 1998 earthquake, had not been provided, although funds for repairing the Greek Orthodox cathedral had already been disbursed.

The constitution prohibits proselytizing and stipulates that no rite of worship may "disturb public order or offend moral principles." During the year officials of missionary faiths expressed concern that antiproselytizing laws remained in effect.

In September 2009 the European Commission against Racism and Intolerance expressed concern that proselytizing remained a criminal offense. The government responded that antiproselytizing laws had "long since fallen into disuse" and that only proselytizing that was coercive or disturbed public order was illegal. No harassment by police was reported.

The law provides penalties for "whoever intentionally incites others to actions that could provoke discrimination, hatred, or violence against persons or groups of persons on the basis of their race or ethnic origin or expresses ideas insulting to persons or to groups of persons because of their race or ethnic origin." The law allows any prosecutor to order the seizure of publications that offend Christianity or any other religion. The government did not enforce these laws during the year.

The government observes the following religious holidays as national holidays: Epiphany, Clean Monday, Good Friday, Easter Sunday, Easter Monday, Holy Spirit Day, the Assumption of Mary, and Christmas.

The country has mandatory military service of nine months for male citizens between the ages of 18 and 45. The law provides for alternative forms of mandatory service for religious and ideological conscientious objectors. Conscientious objectors may, in lieu of mandatory military service, work in state hospitals or municipal and public services for a period two times the length, minus one month, of the required military service (17 months). Some religious groups claimed that the increased length of mandatory service required of conscientious objectors was discriminatory, and during the year Jehovah's Witnesses filed four cases against the government for disregard of the status of persons claiming to be conscientious objectors; the cases were pending at the Supreme Court.

Mandatory military service is three months for "repatriated" male citizens (those of Greek ethnic background who emigrated from the former communist bloc) and five months of alternative service for repatriated conscientious objectors. A January Supreme Court decision allowed citizen reservists who had already completed military service to receive conscientious objector status.

Restrictions on Religious Freedom

The government generally respected religious freedom in law and in practice. However, the government limits the ability of some religious groups to register or obtain legal recognition.

Leaders of some religious groups considered the system of house-of-prayer permits to constrain freedom of religion administratively and noted that under the legal framework, authorities may take unregistered religious organizations to court. However, there were no reports of such prosecutions.

The government continued to claim that auqaf in Thrace owed interest on the tax debt of auqaf (the principal itself was written off by the government), totaling approximately one million euros (\$1.3 million). Members of the Muslim minority protested the government's position and lobbied for the interest to be written off as well.

Members of the Muslim minority in Thrace were underrepresented in public sector employment and in state-owned industries and corporations. Few Muslim military personnel advanced to officer ranks. A 2008 law established a program to assign 0.5 percent of civil service jobs to Muslims. Two members of the Muslim minority from Thrace held seats in parliament. In Xanthi and Komotini, Muslims held seats on the prefectural and town councils and served as local mayors. Municipalities in Thrace hired Muslims as public liaisons in citizen service centers and provided Turkish lessons for other civil servants.

Differences remained between some members of the Muslim minority community and the government over the process of selecting muftis and imams. By law the government, in consultation with a committee of Muslim leaders, appoints all three muftis in Thrace to 10-year terms of office with the possibility of extension. The muftis in Xanthi and Komotini began serving in 1991 and 1985, respectively; both were due to retire in 2011, but the term of the mufti of Komotini was extended indefinitely. The mufti of Didimoticho was originally assigned to execute the duties of a mufti in 1987 without a fixed term. The government maintained that it has the right to appoint muftis since they receive a state salary and perform judicial Sharia functions as well as religious duties. Some members of the Muslim minority objected that the government did not necessarily adhere to the recommendations of the selection committee.

While some members of the Muslim minority accepted the authority of the government-appointed muftis, others elected two unofficial muftis to serve their communities, stating that the government of a non-Islamic country had no right to appoint muftis. These two muftis are not recognized by the government and do not have the civil authority to perform weddings and divorces or to make rulings on family legal matters such as inheritance rights. Some members of the Muslim minority continued to lobby the government to allow the direct election of muftis. During the reporting period, Muslim leaders in Athens criticized the absence of an official mosque or recognized Muslim clergy in the city. Muslims protested the absence of a mosque by holding religious ceremonies in public. They worshipped in hundreds of unofficial mosques and traveled to Thrace for official Islamic marriages or funerals.

Pursuant to legislation enacted in 2006, a presidential decree approved in October designated a 4.2-acre site owned by the Hellenic Navy in central Athens for construction of a mosque. Muslim organizations stated that the authorized capacity of 500 was insufficient. The mosque would be managed by a seven-member committee composed of five government officials and two representatives of the Muslim community. Construction of the mosque had not started by year's end.

Muslims complained about the continued lack of an Islamic cemetery in Athens, stating municipal cemetery regulations requiring exhumation of bodies after three years contravened Islamic religious law. Since the Orthodox Church announced in 2005 that it would set aside 7.4 acres in Schisto for an Islamic cemetery, government ministries issued conflicting accounts of the cemetery's status, which reportedly remained under government review at year's end.

In June the Committee of Municipalities of Thessaloniki unanimously approved the establishment of an Islamic cemetery and announced that it would begin work to identify an appropriate location. It is estimated that 800 Muslim families live in the prefecture of Thessaloniki.

Mormons alleged they were not granted permission on religious grounds to use a municipal theater for a performance.

Members of several religious organizations complained about the lack of crematory facilities. A law permitting the establishment of crematory facilities was passed in 2006, and a presidential decree was signed during the year. However, it was not implemented by year's end.

Members of the Muslim minority in Thrace reported that some of their cemeteries were not maintained, which is a requirement under the law.

There were no reports of abuses, including religious prisoners or detainees, in the country.

Improvements and Positive Developments in Respect for Religious Freedom

The government took positive steps to promote religious freedom. For the first time since 2006, the government issued house-of-prayer permits; 10 were issued during the reporting period. On September 26, the municipality of Chalkida (Central Greece) unveiled a monument in honor of the World War II Jewish hero Mardochoaios Frizis. The country's president and representatives of various political parties attended the ceremony.

Section III. Status of Societal Actions Affecting Enjoyment of Religious Freedom

There were some reports of societal abuses or discrimination based on religious affiliation, belief, or practice.

The Greek Orthodox Church exercised significant social, political, and economic influence. Some non-Orthodox citizens complained of being treated with suspicion or told they were not truly Greek when they revealed their religious affiliations.

Followers of non-Orthodox faiths, particularly missionary faiths, reported incidents of societal discrimination, including warnings by some Orthodox bishops and priests to their parishioners not to visit the leaders or members of these faiths, such as Jehovah's Witnesses, Mormons, evangelical Christians, and other Protestants.

However, leaders of many non-Orthodox religious groups reported that while the Orthodox Church seldom engaged in official contact with other religious groups, cordial private contacts between Orthodox Church officials and members of minority religious groups had increased in frequency. Orthodox leaders attended ceremonies hosted by members of other religions.

On November 2, unknown perpetrators, allegedly members of the far-right group "Golden Dawn," locked an estimated 40 worshipers into an unofficial mosque on Athens' Aghios Panteleimonas square and set it on fire. The worshipers escaped the fire with the help of police, but four persons were injured in ensuing fights between immigrants and extremists.

In August vandals attacked the Pospos Muslim cemetery in Komotini (Thrace), broke 20 gravestones, and desecrated cemetery grounds. The police conducted an investigation and subsequently monitored the grounds but did not make any arrests.

The police responded to protect participants and prevent worse violence when in November members of a right-wing extremist group insulted and threw eggs at Muslims who were praying in a public space in Athens on a religious holiday.

In December vandals threw a Molotov cocktail at a mosque in the village of Avato (Xanthi prefecture), breaking a window. Also in December unknown perpetrators using Molotov cocktails attacked a Muslim cultural association in Rhodes.

Sporadic expressions of anti-Semitism occurred.

In November two young men were arrested and charged with planning an arson attack on the synagogue of Athens.

On December 20, the Greek Orthodox Church's Metropolitan of Piraeus, Seraphim, made anti-Semitic statements on national television, which were immediately condemned by the government and church officials. Metropolitan Seraphim did not retract his comments.

There continued to be reports of incidents of vandalism of Jewish monuments. In July unknown perpetrators vandalized the Jewish Museum of Athens. In September in Kefallinia (Ionian island), a plaque commemorating the assistance of the Israeli navy to the 1953 earthquake victims was vandalized with anti-Semitic graffiti. In November police prevented an arson attack against a synagogue in Athens and arrested two young men after finding Molotov-bomb-making components in their possession.

In August a local court, citing lack of evidence, effectively dropped charges (through a verdict known as "temporary suspension") against five persons suspected of the January arson attacks on the Etz-Hayyim synagogue of Chania, Crete. However, an investigation continued at year's end, and the case can be reopened if new evidence is found within five years of the date of the crime. The government provided funds to the Jewish community for reconstruction of the synagogue.

In 2007 Kostas Plevris (author of the book *The Jews--The Whole Truth*), whose conviction for inciting hatred and racial violence was vacated upon appeal, sued senior representatives of the local Jewish community, journalists, and NGO activists for publicly criticizing some of the judges who participated in the judicial proceedings involving him and for allegedly disseminating false information through the press, perjury, and aggravated defamation. The NGO activists were found not guilty in a December 6 verdict. The trial of the journalists and Jewish community representatives was scheduled for January 2011.

The Jewish community of Thessaloniki and the government continued discussions on compensation for the community's cemetery, expropriated after its destruction during the Holocaust. In July 2009 a Ministry of Finance experts' committee, which included a member of the Jewish community, proposed a compensation plan, which remained pending at the Ministry of Finance.

The government conducted an extended investigation (headed by an archaeologist) during excavation for the new Thessaloniki metro and continued its dialogue with the Thessaloniki Jewish community to address concerns that the metro excavations could disturb graves at the Thessaloniki Jewish cemetery; the excavations continued but, by the end of the reporting period, no human remains had been found at the site.

The Jewish community continued to protest anti-Semitic passages in the Greek Orthodox Church's Holy Week liturgy but reported that it remained in dialogue with the church on removal of the passages.

On September 26, the municipality of Chalkida unveiled a monument in honor of the World War II Jewish hero Mardocheios Firzis. The country's president, vice president, and representatives of various political parties attended the ceremony.

Section IV. U.S. Government Policy

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human rights. The ambassador and other U.S. officials discussed religious freedom with senior government officials, religious leaders, municipal leaders, members of parliament, and members of other diplomatic missions. Officers from the embassy and the consulate general in Thessaloniki met regularly with representatives of religious groups and investigated reports of societal discrimination. U.S. diplomats regularly traveled to Thrace to discuss religious freedom issues with members of the Muslim and Jewish minorities.

During the reporting period, the ambassador met with several religious leaders and discussed religious freedom and interfaith dialogue. The U.S. government encouraged the Jewish community in its efforts to engage Aristotle University, the public institution built on the site of the expropriated Jewish cemetery in Thessaloniki, on future projects to memorialize the Jewish heritage of the site.

Embassy officers met regularly with Islamic NGOs as well as faith-based charity groups assisting refugees and victims of trafficking in persons. The embassy and consulate general invited representatives from a wide variety of faiths to the annual July Fourth receptions and iftars (evening dinners during Ramadan).

U.S. officials promoted and supported initiatives related to religious freedom and used the International Visitor Leadership Program to introduce Muslim community leaders to the United States and their American counterparts.

U.S. embassy officials successfully supported efforts by the U.S. Holocaust Memorial Museum to obtain access to official Greek archives. The U.S. mission facilitated the donation by the Jewish community of Thessaloniki of desecrated tombstone fragments from the old Jewish cemetery to be displayed at the U.S. Holocaust Memorial Museum.

The ambassador and other U.S. officials regularly visited religious sites and conducted religious freedom outreach throughout the country.

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