Greece’s submission on the thematic report

“Eliminating Intolerance and Discrimination Based on Religion or Belief

and the Achievement of Sustainable Development Goal 16 (SDG 16)”

**A. Legal framework regarding Religious Freedom**

**I. Mission of the Ministry of Education and Religious Affairs and of the Secretariat General for Religious Affairs**

Religious Affairs policy making and implementation is one of the aims served by the Ministry of Education and Religious Affairs, in accordance with Articles 13 (freedom of religion) and 3 (relations of Church and State) of the Constitution. Protecting and safeguarding **religious freedom for all without exception,** within the legal framework, is a cornerstone of this policy.

Furthermore, article 57 of the Presidential Decree 18/ establishes that the aim of the General Secretariat for Religious Affairs of the Ministry of Education and Religious Affairs is: i) the protection of religious conscience and religious observance and practice, ii) the supervision of the religious education system, iii) the supervision of religious ministers, iv) the connection between religion, education and culture, v) the promotion of actions against fanaticism and intolerance and vi) the promotion of actions which support interfaith relations and dialogue.

**II. Constitutional provisions**

In Greece, tolerance is safeguarded and so is religious freedom to the fullest extent, both as a human right to pray to the God one chooses to worship and as a right to reject religion and its expressions of transcendence. In any case, whether one believes in God or not, whether one has not decided if they believe or not, respect to what others consider Sacred is a crucial element for maintaining social peace and cohesion.

On the other hand, disrespect to the religious beliefs of others or negative perception of those who practice their religion (either individually or collectively) deprives our society of links among its members, intensifies divisions, providing ground for conflicts and, eventually, impeding the nation’s progress both in intellectual and in material terms.

Article 13 (paragraphs 2 and 4) of the Constitution of Greece establishes that: *“2. All known religions shall be free and their rites of worship shall be performed unhindered and under the protection of the law. The practice of rites of worship is not allowed to offend public order or the good usages. Proselytism is prohibited. [...] 4. No person shall be exempt from discharging his obligations to the State or may refuse to comply with the laws by reason of his religious convictions”*.

**III. More legislation against Racism and (religious) intolerance:**

* According to article 82A of the Greek Criminal Code, the commission of any offence on hate motivated grounds (race, colour, religion**,** descent, national or ethnic origin, sexual orientation, disability, gender identity and, recently added, gender characteristics) constitutes an aggravating circumstance leading to penalty enhancement. Article 82A (former art. 81A of Greek Criminal Code), as described above, was the result of the legislative amendment by Law 4619/2019.
* Law 4285/2014, punishes, inter alia, public incitement to acts or activities which may result to discrimination, hatred or violence against individuals or groups of individuals defined by reference to race, colour, religion, descent, national or ethnic origin, sexual orientation, gender identity, gender characteristics or disability, in a manner which endangers public order or threatens life, liberty or physical integrity of the abovementioned persons; the establishment of or participation in an organization or union of persons of any kind systematically pursuing the commission of the abovementioned acts; under the circumstances prescribed by the law, the act of publicly condoning, trivializing or maliciously denying the commission or seriousness of crimes of genocide, war crimes, crimes against humanity, the Holocaust and Nazi crimes, recognized by decisions of international courts or the Hellenic Parliament.
* Law 4443/2016, provides for the equal treatment irrespective of race, color, national or ethnic origin, descent, religion or belief, disability or chronic condition (illness), age, marital or social status, sexual orientation, gender identity or characteristics. More specifically, the principle of equal treatment irrespective of race, colour, national or ethnic origin, descent, religion or belief, disability or chronic condition (illness), age, marital or social status, sexual orientation, gender identity or characteristics in the field of work and employment**,** applies to all persons. Furthermore, this Law includes provisions for the cases when in the course of the sale of goods or services to the public, there may be a violation regarding the prohibition of discrimination based on race, color, national or ethnic origin under the present law, religion or other beliefs, disability or chronic illness, age, family or social status, sexual orientation, identity or gender characteristics and such violation is punishable by imprisonment of six (6) months to three (3) years and by a pecuniary penalty of one thousand (1,000) up to five thousand (5,000) euros. The acts provided for in this provision are prosecuted ex officio.
* Law 4356/2015 established the “National Council against Racism and Intolerance” with the participation, inter alia, of the National Commission of Human Rights, the Racist Violence Recording Network (where more than 40 NGOs participate), the UNHCR and the Greek Ombudsman. The purpose of this Council is the development of a comprehensive anti-racist strategy, the coordination of all relevant stakeholders and the monitoring of the application of international, European and national legislation. A National Action Plan against Racism and Intolerance is also among the tasks of the Council.
* Law 4411/2016 with which Greece ratified the Council of Europe’s Cybercrime Convention and the Additional Protocol thereto concerning the criminalization of acts of a racist and xenophobic nature committed through computer systems.
* Along with the strengthening of the legislative framework, a number of operational measures have been taken. Data collection with regard to racist crimes has significantly improved and is expected to further improve following the operation of the new computerization system of the courts. A unified mechanism and database for registering alleged incidents of racist and xenophobic violence (including allegations against police personnel) has been created. Further improvements to the data collection system are under consideration by a Working Group established to this end.
* Finally, it should be noted that in Greece there are certain good practices, concerning the training of judges and prosecutors on innovative topics, that have the potential to facilitate access to justice for vulnerable groups, such as training on selected issues of racism and xenophobia, training on issues related to the protection of minorities, persons with special needs (among which, children) and protection of persons in migration.

**Β. Legislative initiatives and actions regarding Jewish Communities**

*General Observation*: Jewish Communities in Greece, due to their long historical presence, have the exact same legal status (public law body) as the Greek Orthodox Church. The Eastern Orthodox Church of Christ is recognized as the “prevailing religion”, meaning the religion of the majority of the Hellenic people.

**I. Legislative initiatives**

1. Law 4018/2011. Greek citizenship is granted again to citizens of Israel, who were born by May 9, 1945, provided that they originally had the Greek nationality and lost it in any way. Additionally, the direct descendants of those who shall acquire the Greek nationality or who died before acquiring the Greek nationality (Law 4461/2017) may apply for Greek citizenship as descendants of a Greek citizen..
2. Law 4071/2012. The operation of Jewish Schools is safeguarded by exempting them from the general regulation according to which the salaries of seconded public servants are paid by the institutions to which they are seconded and not by the State. By this regulation, the salaries of teachers seconded in Jewish schools are paid by the Ministry of Education, Research and Religious Affairs.
3. Joint Ministerial Decision of the Ministry of Finance and Ministry of Education and Religious Affairs 2/52141/AYEP/2013 (Official Government Gazette 1370/2013 B’). Although Jewish Communities are Public Law bodies, they are exempted from accounting and internal financial management procedures foreseen for all other Public Law bodies because they are non-profit socially beneficial religious organizations.
4. Law 4223/2013. Jewish Communities are exempted from paying property tax for Synagogues and other property of public interest objectives.
5. Law 4235/2014. Jewish Communities maintain all benefits of Public Law bodies but they have the full right of autonomous government (while the internal organization of other Public Law bodies is designated by the State). Additionally, the regulations voted for Public Law bodies shall not apply to Jewish Communities unless it is expressly provided for that they regard them.
6. On July 2, 2018, the S.G.R.A. of the Ministry of Education and Religious Affairs, along with the Office for Democratic Institutions and Human Rights (ODIHR) of the Organization for Security and Co-operation in Europe (OSCE), the Hellenic Ministry of Foreign Affairs, the Jewish Museum of Greece, the Central Board of Jewish Communities in Greece, held a Consultative Meeting titled: “Responding to anti-Semitic hate crimes and addressing the security needs of Jewish Communities in Greece”, in order to discuss issues concerning the security needs of Jewish communities and related heritage sites. This was subsequently followed by a signed Memorandum of Understanding between ODIHR, the S.G.R.A. and the Jewish Museum of Greece to use the customized Security Guide as a basis for ongoing awareness-raising and capacity building efforts for law enforcements officials in Greece.
7. On November 4, 2018 the S.G.R.A., the Jewish Museum of Greece and the Olga Lengyel Institute for Holocaust Studies and Human Rights signed a Memorandum of Cooperation concerning educational activities on Holocaust Remembrance as well as against anti-Semitism and racism.

**II. Other actions**

Among the main objectives of the Secretariat General for Religious Affairs (S.G.R.A.) of the Ministry of Education and Religious Affairs is planning and implementing policies which counter general biases in public attitudes (religious intolerance, racism, Antisemitism, etc.). To this effect, the Secretariat General for Religious Affairs aspires, among others, to map out and implement a comprehensive strategy against anti-Semitism, as well as to raise awareness on religious tolerance, addressing primarily students and teachers.

1. Definition of anti-Semitism

On February 11th 2019 the Secretariat General for Religious Affairs adopted the working definition of anti-Semitism as it was set out at the Plenary meeting of the International Holocaust Remembrance Alliance (IHRA) on May 26, 2016, being the first country to do so.

2. Holocaust memorial day

27th January is designated as Holocaust Remembrance Day. Since 2016 the Ministry for Education and Religious Affairs has been communicating annually Circulars to all schools with information on the Holocaust Remembrance Day, requesting that two class periods be dedicated to related educational activities and events.

3. Educational Programs

* Since school year 2014-15, the S.G.R.A. and the Jewish Museum of Greece, as per their Memorandum of Cooperation, have been organizing yearly video-clip contests for students of upper secondary education on the topic of the Holocaust and the Greek Jews, whereby students are invited to reflect on the Holocaust and express thoughts and feelings via video-making. The winners visit the Auschwitz-Birkenau Memorial Museum and attend a seminar, hosted by the Jewish Museum of Greece.
* During school year 2018-2019, the S.G.R.A. in cooperation with the High School of the Leontion School implemented a pilot educational program, entitled *"The Genocide of European Jews (1942-1945)"*. The program included an educational visit to Auschwitz-Birkenau Memorial and State Museum.
* Also, during school year 2018-2019, the S.G.R.A. in cooperation with the Academy of Theological Studies of Volos and the Jewish Community of Volos implemented a pilot educational program entitled *"The Holocaust Narrative through Art and Local History"*, including an educational visit to Auschwitz-Birkenau Memorial and State Museum.

4. Teacher training

* Since school year 2012-2013 to date, Teacher Seminars and Workshops on Holocaust Education are annually held, co-organised by the Jewish Museum of Greece, the Jewish historical Institute CENTROPA and the Secretariat General for Religious Affairs, under the auspices of the Greek Ministry of Education and Religious Affairs. Special authorizations are issued promptly to facilitate teachers’ participation in the seminars.
* Also, since 2014, Greek teachers have been attending courses in the CENTROPA Summer Academy abroad.
* The Ministry of Education and Religious Affairs has also been supporting the participation of Greek teachers at the annual 7-day teacher-training course, on Holocaust Education, conducted in Yad Vashem, the Holocaust Martyrs’ and Heroes’ Remembrance Authority of Israel (Jerusalem), in partnership with the Jewish Museum of Greece, which culminated with the adoption of the aforementioned Memorandum of Understanding of January 26, 2017 (see above B.I.11.)
* Support to the Jewish Museum of Greece for teacher-training seminars on teaching the Holocaust, managed under the auspices of the Ministry of Education, Research and Religious Affairs (General Secretariat for Religious Affairs). Teacher seminars organized by the Jewish Museum of Greece in cooperation with the Olga Lengyel Institute with the support of the S.G.R.A. in Athens.
* On October 19-21, 2017, a workshop on *“The Holocaust as a starting point: Comparing and sharing”* took place in Thessaloniki; 20 educators from Greece and 20 from the Republic of North Macedonia participated in the workshop. The workshop was organized by the S.G.R.A. in cooperation with the “Mémorial de la Shoah” and “the Holocaust Memorial Center for the Jews” (Skopje).
* Thessaloniki, 15-16 Dec. 2019: seminar *"Teaching 20th century multicultural Greek history through Jewish family stories, promoting interreligious tolerance in the Balkan"*. The seminar was organized by the Central Board of Jewish Communities in Greece in collaboration with Centropa and the European Jewish Cemeteries Initiative under the auspices of the Ministry of Education and Religious Affairs.

**C. Measures regarding the protection of the Muslim minority**

The education model of the Muslim Minority is based on the Lausanne Treaty and was regulated by the bilateral Protocols on Education between Greece and Turkey (Protocol 1968) and Laws 694/1977 and 695/1977. Specifically:

* 55% of the curriculum is taking place in Turkish language and 45% in Greek.
* The books of the Greek part of curriculum have been written in the context of the program “Education of the Muslim minority children in Thrace”, taking into consideration the cultural identity of the Muslim minority.
* The books for the Turkish language part of the curriculum are coming from Turkey.
* The teachers for the curriculum taught in Turkish language are public employees coming from the Muslim minority itself.
* The degree of the above-mentioned teachers graduating from the Special Pedagogical Academy of Thessaloniki are equal of those of the Highest Educational Institutions in Greece. They enjoy same privileges as the rest of the teachers.
* There are positions of Coordinators for the Educational Program of the Muslim Minority Schools, responsible for the scientific guidance and lifelong learning of the teaching staff of Muslim minority schools.
* Muslim Imams are appointed to Muslim schools for primary and secondary education for teaching the Quran. Specifically, 216 Imams were hired during the year 2015-2016, 195 for 2016-2017, 106 for 2017-2018 and 95 for the year 2019-2019, with a 9-month contract.

**D. Monitoring incidents against religious sites**

To underpin religious freedom more effectively, the Secretariat General for Religious Affairs is monitoring, collecting and evaluating data on incidents of vandalism and desecration of religious sites of all religious communities in Greece, by networking with the religious communities themselves as well as other State authorities (e.g. Police, Public Prosecutors).

Since 2015 the data collected is published (electronically and in paper) in the annual *“Report on Acts against Religious Sites in Greece”* in Greek[[1]](#footnote-2) and in English[[2]](#footnote-3).

**D. Conclusion**

The Secretariat General for Religious Affairs will continue working on improving the legal and administrative framework on religious freedom, intensifying its efforts for further improvements and implementation of new activities in schools, in order to consolidate a culture of religious freedom and to ensure that policy on religious affairs successfully implements the requirements of the Constitution.

1. <https://www.minedu.gov.gr/gepo-menu-m/ekthesi-peristatika-eis-varos-xoron-thriskeftikis-simasias> [↑](#footnote-ref-2)
2. <https://www.minedu.gov.gr/religious-afairs/acts-against-religious-sites> [↑](#footnote-ref-3)