

Greece

International Religious Freedom Report 2002

Released by the Bureau of Democracy, Human Rights, and Labor

The Constitution establishes the Eastern Orthodox Church of Christ (Greek Orthodoxy) as the "prevailing" religion, but also provides for the right of all citizens to practice the religion of their choice; however, while the Government generally respects this right, non-Orthodox groups sometimes face administrative obstacles or encounter legal restrictions on religious practice. The Constitution prohibits proselytizing and stipulates that no rite of worship may disturb public order or offend moral principles.

There was no change in the status of respect for religious freedom during the period covered by this report.

The generally amicable relationship among religions in society contributed to religious freedom. Nonorthodox citizens have complained of being treated with suspicion or told that they were not truly Greek when they revealed their religious affiliation.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

Section I. Religious Demography

The country has a total area of 81,935 square miles, and its population is an estimated 10.9 million. Approximately 97 percent of the population identify themselves at least nominally with the Greek Orthodox faith. There are approximately 500,000 to 800,000 Old Calendarists throughout the country. With the exception of the Muslim community (some of whose rights and privileges as well as related government obligations are covered by the 1923 Treaty of Lausanne), the Government does not keep statistics on the size of religious groups; the 2001 census did not ask for religious affiliation. Ethnic Greeks account for a sizeable percentage of most nonOrthodox religions. The balance of the population is composed of Muslims (officially estimated at 98,000, although some Muslims claim up to 130,000 to 140,000 countrywide); accurate figures for other religious groups are not available. Members of Jehovah's Witnesses are estimated at 50,000; Catholics at 50,000; Protestants, including evangelicals, at 30,000; and the Church of Jesus Christ of Latter-Day Saints (Mormons) at 300. Scientologists claim 12,000 members, a figure observers believe to be high. The Jewish community numbers approximately 5,000 adherents; an estimated 1,000 reside in Thessaloniki and the majority are citizens. Approximately 250 members of the Baha'i Faith, the majority of whom are citizens of non-Greek ethnicity, are scattered throughout the country. There also are small populations of Anglicans, Baptists, and nondenominational Christians. There is no official or unofficial estimate of atheists.

The majority of noncitizen residents are not Greek Orthodox. The largest group is the Albanians (approximately 700,000 including legal and illegal residents); most nominally are Muslim, Orthodox, or Roman Catholic, but the majority are non-practicing.

Catholics reside primarily in Athens and on the islands of Syros, Tinos, Naxos, and Corfu, as well as in the cities of Thessaloniki and Patras. Immigrants from the Philippines and Poland also practice Catholicism. The Bishop of Athens heads the Roman Catholic Holy Synod.

Some religious groups, such as the evangelicals and Jehovah's Witnesses, consist almost entirely of ethnic Greeks. Other groups, such as Mormons and Anglicans, consist of an approximately equal number of ethnic Greeks and non-Greeks.

The Muslim population, concentrated in Thrace with small communities in Rhodes, Kos, and

Athens, is composed mainly of ethnic Turks but also includes Pomaks and Roma.

Scientologists, most of whom are located in the Athens area, practice their faith through a registered nonprofit philosophical organization.

Foreign missionary groups in the country, including Protestants and Mormons, are active; the latter states that it has approximately 80 missionaries in the country each year, for approximately 2-year terms.

Section II. Status of Religious Freedom

Legal/Policy Framework

The Constitution establishes the Eastern Orthodox Church of Christ (Greek Orthodoxy) as the prevailing religion, but also provides for the right of all citizens to practice the religion of their choice; however, while the Government generally respects this right, non-Orthodox groups sometimes face administrative obstacles or encounter legal restrictions on religious practice. The Constitution prohibits proselytizing and stipulates that no rite of worship may disturb public order or offend moral principles. The Orthodox Church exercises significant political and economic influence. The Government, under the direction of the Ministry of Education and Religion, provides some financial support by, for example, paying for the salaries and religious training of clergy, and financing the maintenance of Orthodox Church buildings. However, the conscientious objector provision in the Constitution and an effective, well-run Ombudsman's office, which successfully handled an increasing number of cases, fostered government tolerance of minority religions.

The Orthodox Church, Judaism, and Islam are the only groups considered to be a "legal person of public law" by law. Other religions are considered "legal persons of private law." In practice the primary distinction is that the establishment of "houses of prayer" of religions other than the Orthodox Church, Judaism, or Islam is regulated by the general provisions of the Civil Code regarding corporations. For example, these religions cannot own property as religious entities; the property must belong to a specifically created legal entity rather than to the church itself. In practice this places an additional legal and administrative burden on non-Orthodox religious community organizations, although in most cases this process has been handled routinely. Members of minority religious groups that are classified as private entities also cannot be represented in court as religious entities and cannot will or inherit property as a religious entity. A 1999 law extended legal recognition to Catholic churches and related entities established prior to 1946. By virtue of the Orthodox Church's status as the "prevailing" religion, the Government recognizes the Orthodox Church's canon law (the official statutes of the Church); however, the Catholic Church unsuccessfully has sought government recognition of its canon law since 1999.

Two laws from the 1930's require recognized or "known" religious groups to obtain "house of prayer" permits from the Ministry of Education and Religion in order to open houses of worship. By law the Ministry may base its decision to issue permits on the opinion of the local Orthodox bishop. No formal mechanism exists to gain recognition as a known religion, but Ministry officials state that they no longer obtain the opinion of the local Orthodox bishop when considering house of prayer permit applications. According to the Ministry's officials, applications for additional houses of prayer are numerous and are approved routinely; however, in 2000 the Ministry denied the Scientologists of Greece their application for recognition and a house of prayer permit on the grounds that Scientology is not a religion. An appeal was pending at the end of the period covered by this report. The Church of Scientology appealed the decision with the Council of State in December 2000 and the case still was pending at the end of the period covered by this report.

Leaders of some non-Orthodox religious groups claimed that all taxes on religious organizations were discriminatory, even those that the Orthodox Church has to pay, because the Government subsidizes the Orthodox Church, while other groups are self-supporting. The

Government also pays the salaries of the two official Muslim religious leaders ("muftis," Islamic judges and religious leaders with limited civic responsibilities) in Thrace and provides them with official vehicles.

The 1923 Treaty of Lausanne, which still is in force, gives Muslims in Thrace the right to maintain social and charitable organizations ("wakfs") and provides for muftis to render religious judicial services.

The Treaty of Lausanne provides that the Muslim minority has the right to Turkish-language education, with a reciprocal entitlement for the Greek minority in Istanbul (now reduced to approximately 3,000 persons). Western Thrace has both Koranic and secular Turkish-language schools. In 2000 approximately 19 new Turkish-language textbooks approved jointly by the Governments of Greece and Turkey were distributed in the schools, the first such distribution since 1974. Approximately 8,000 Muslim children attended Turkish-language public schools and an additional 150 attended 2 bilingual middle schools with a religious curriculum. Approximately 600 Muslim students attended Turkish-language secondary schools, and approximately 1,600 Muslim students attended Greek-language secondary schools. Some Muslims, especially in Thrace, attend high school in Turkey. In 1999 the Government instituted a European Union-funded program for teaching Greek as a second language to Muslim children, primarily in the Greek-language schools, to improve their academic performance and chances of obtaining post-secondary education in the country.

Other than in one multicultural elementary education "pilot school," the Government does not provide instruction in Greek as a second language to Turcophone children in the Athens area. Muslim parents report that their children are unable to succeed in school as a result of this policy. The Government maintains that Muslims outside Thrace are not covered by the Treaty of Lausanne and therefore do not enjoy those rights provided by the treaty.

Government incentives encourage Muslim and Christian educators to reside and teach in isolated villages.

The law permits the Minister of Education to give special consideration to Muslims for admission to universities and technical institutes. The law requires universities and technical institutes to set aside places for Muslim students each year. Fewer than half of the 400 places available were filled by the end of the period covered by this report.

Restrictions on Religious Freedom

In 2000 the Ministry of Education and Religious Affairs rejected the application of the Scientologists for recognition and a house of prayer permit on the grounds that Scientology "is not a religion." The Church of Scientology is registered as a philosophical organization because legal counsel advised that the Government would not recognize Scientology as a religion. The Scientologists appealed the ministry decision with the Council of State and the case remained pending at the end of the period covered by this report, allowing Scientologists to operate as a non-profit association.

Minority religious groups have requested that the Government abolish laws regulating house of prayer permits, which are required in order to open houses of worship. Many provisions of these laws are not applied in practice, but local police still have the authority to bring minority churches to court that operate or build places of worship without a permit. A defrocked Orthodox priest in northern Greece continued to hold religious services in Macedonian (the language of the Former Yugoslav Republic of Macedonia) in a meeting hall, despite complaints by Orthodox clergy.

Several religious denominations reported difficulties in dealing with the authorities on a variety of administrative matters. Privileges and legal prerogatives granted to the Greek Orthodox Church are not extended routinely to other recognized religions. The non-Greek Orthodox churches must provide separate and lengthy applications to government authorities on such

matters as gaining permission to move places of worship to larger facilities. In contrast Greek Orthodox officials have an institutionalized link between the church hierarchy and the Ministry of Education and Religion to handle administrative matters.

Although Jehovah's Witnesses are recognized as a "known" religion, members continued to face some harassment in the form of arbitrary identity checks, difficulties in burying their dead, and local officials' resistance to their construction of churches (which in most cases was resolved quickly and favorably).

Several religious denominations, including foreign Mormons and Jews, reported difficulty in renewing the visas of their non-European Union citizen ministers and rabbis because the Government does not have a distinct religious workers' visa category. As part of new obligations under the Schengen Treaty and the Treaty of Amsterdam, all non-European Union citizens face a more restrictive visa and residence regime than they did in the past. By the end of the period covered by this report, no progress had been made on issuing visas for foreign clergy to perform their religious work in the country.

In the summer of 2000, the Government decided to remove the notation of religious affiliation on national identity cards. Despite criticism from the Orthodox Church, the Government began issuing the new identity cards in 2001.

Non-Orthodox citizens have claimed that they face career limits within the military, police, fire-fighting forces, and the civil service because of their religions. In the military, generally only members of the Orthodox faith become officers, leading some members of other faiths to declare themselves Orthodox. Few Muslim military personnel have advanced to the rank of reserve officer, and there were reports of pressure exerted on Greek Orthodox military personnel not to marry in the religious ceremony of their non-Orthodox partner, because they may be passed over for promotion. In addition, the rigorous training requirements to advance also require a solid educational background and fluency in Greek, posing an obstacle for many Muslims.

The percentage of Muslims employed in the public sector and in state-owned industries and corporations is disproportionately lower than the percentage of Muslims in the population, which many observers claim is due to the language barrier, not to religious discrimination. In Xanthi and Komotini, while Muslims hold seats on the prefectural and town councils, there are no Muslims among regular employees of the prefecture. Muslims in Thrace claim that they are hired only for lower level, part-time work. According to the Government, lack of fluency in written and spoken Greek and the need for university degrees for high-level positions limit the number of Muslims eligible for government jobs.

The approximately 10,000 member Muslim community in Athens (composed primarily of economic migrants from Thrace, Pakistan, Iran, and Iraq) is still without its own mosque or any state-appointed cleric to officiate at various religious functions, including funerals. Members of the Muslim community often transport their deceased back to Thrace for religious burials. In 2000 the Parliament approved a bill allowing construction of the first Islamic cultural center and mosque in the Athens area; however, construction had not started by the end of the period covered by this report. Members of the Orthodox Church oppose the cultural center, claiming it may "spread the ideology of Islam and the Arab world" rather than act as a simple museum. According to official sources, a total of 287 mosques operate freely in Thrace and on the islands of Rhodes and Kos.

Differences remain within the Muslim community and between segments of the community and the Government regarding the means of selecting muftis. Under a 1991 law, the Government appointed two muftis and one assistant mufti, all residents in Thrace.

The appointments to 10-year terms were based on the recommendations of a committee of Muslim notables selected by the Government. The Government argued that it must appoint the muftis, because in addition to religious duties, they perform judicial functions in many civil and

domestic matters under Muslim religious law, for which the State pays them. In 2001 the mufti from Komotini and the mufti from Xanthi were reappointed for another 10-year term. Some Muslims accept the authority of the two government-appointed muftis; other Muslims, backed by Turkey, have "elected" two muftis to serve their communities (although there is no established procedure or practice for election).

Controversy between the Muslim community and the Government also continued over the management and self-government of the "wakfs" (Muslim charitable organizations), particularly regarding the appointment of officials and the degree and type of administrative control. A 1980 law placed the administration of the wakfs in the hands of the appointed muftis and their representatives. In response to objections from some Muslims that this arrangement weakened the financial autonomy of the wakfs and violated the terms of the Treaty of Lausanne, a 1996 presidential decree placed the wakfs under the administration of a committee for 3 years as an interim measure pending resolution of outstanding problems. The interim period was extended in 1999. At the end of the period covered by this report, the Government was preparing a draft bill that would permit Muslims to elect their own administrative committee for each municipality.

Evangelical parishes are located throughout the country. Members of missionary faiths report having difficulties with harassment and police detention due to antiproselytizing laws. Church officials express concern that antiproselytizing laws remain on the books, although such laws no longer hinder their ministering to the poor and to children.

In 1998 a law providing an alternative form of mandatory national service for conscientious objectors (for religious and ideological reasons) took effect. The law provides that conscientious objectors may work in state hospitals or municipal services for 36 months, in lieu of mandatory military service. Conscientious objector groups generally characterized the legislation as a positive first step but criticized the 36-month alternative service term, which is double the regular 18-month period of military service. Also since 1998, all members of Jehovah's Witnesses who wished to submit applications for alternative nonmilitary service have been permitted to do so. There were 10 religiously based conscientious objector cases still pending resolution at the end of the reporting period. These cases pertain to individuals who were in the process of contesting a prison term for refusing to serve in the military and whose cases were not covered by the 1998 law.

A 1939 law prohibits the functioning of private schools in buildings owned by non-Orthodox religious foundations; however, this law is not enforced in practice.

Religious instruction in Orthodoxy in public, primary, and secondary schools is mandatory for all Orthodox students. Nonorthodox students are exempt from this requirement. However, members of Jehovah's Witnesses have reported some instances of discrimination related to attendance at religious education classes or other celebrations of religious or nationalistic character. Jewish teachers are not allowed to teach at the primary level because they are not Orthodox and cannot give religious instruction in Orthodoxy to the students. Members of the Muslim community in Athens are lobbying for Islamic religious instruction for their children. The neighborhood schools offer no alternative supervision for the children during the period of religious instruction. The community has complained that this forces the parents to have their children attend Orthodox religious instruction by default.

In the past, Muslim activists have complained that the Government regularly lodges tax liens against the wakfs, although they are tax-free foundations in theory. Under a national land and property registry law that entered into full effect in 1999, the wakfs, along with all property holders, must register all of their property with the Government. The law permits the Government to seize any property that the owners are not able to document; there are built-in reporting and appeals procedures. The wakfs were established in 1560; however, due to the destruction of files during the two world wars, the wakfs are unable to document ownership of much of their property. They have not registered the property, so they cannot pay assessed taxes. The Government had not sought to enforce either the assessments or the registration requirement by the end of the period covered by this report.

In Thessaloniki in 1999, the Government Tax Office refused to recognize the Jehovah's Witnesses as a nonprofit association (Evangelicals and Baha'is are considered nonprofit associations) and imposed an inheritance tax for property willed to them. The groups appealed the decision in 2000; the Court of Appeals overturned the imposed tax in April 2001. However, in 2001 the tax office in Thessaloniki again refused to recognize Jehovah's Witnesses as a nonprofit association in two more cases and again imposed an inheritance tax for property willed to them.

Abuses of Religious Freedom

Church leaders report that their permanent members (nonmissionaries) do not encounter discriminatory treatment. However, police regularly detained Mormons and members of Jehovah's Witnesses (on average once every 2 weeks) usually after receiving complaints that the individuals were engaged in proselytizing. In most cases, these individuals were held for several hours at a police station and then released with no charges filed. Many reported that they were not allowed to call their lawyers and that they were abused verbally by police officers for their religious beliefs. There were three new charges of proselytism against Jehovah's Witnesses; however, the Public Prosecutor had not filed charges by the end of the period covered by this report. Another three cases remained pending in the courts.

The courts have convicted one of the "elected" muftis 14 times in 5 years for usurping the authority of the official mufti. Most sentences were upheld at the appeal; the elected mufti chose to pay fines rather than serve time in jail. The other "elected" mufti, who was convicted in 1991 of usurping the authority of the official mufti, appealed to the European Court of Human Rights (ECHR). In 1999 the ECHR ruled that the conviction violated his freedom of religion and self-expression, but it did not rule on the question of his legal status as mufti. In July 2001, the Greek Supreme Court ruled that the muftis are innocent because they were not practicing official mufti duties.

There were no reports of religious prisoners or detainees apart from the problems of temporary police detention experienced by Mormons and members of Jehovah's Witnesses.

Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

Section III. Societal Attitudes

Citizens tend to link religious affiliation very closely to ethnicity. Many attribute the preservation of national identity to the actions of the Greek Orthodox Church during approximately 400 years of Ottoman rule and the subsequent nation-building period. The Church exercises significant social, political, and economic influence, and it owns a considerable, although undetermined, amount of property.

Many citizens consider an ethnic Greek also an Orthodox Christian. Non-Orthodox citizens have complained of being treated with suspicion or told that they were not truly Greek when they revealed their religious affiliation.

Members of minority faiths have reported incidents of societal discrimination, such as local bishops warning parishioners not to visit clergy or members of minority faiths and neighbors, and requesting that the police arrest missionaries for proselytizing. However, with the exception of the Muslim minority of Thrace, most members of minority faiths consider themselves satisfactorily integrated into society. Organized official interaction between religious communities is infrequent.

Some non-Orthodox religious communities believe that they have been unable to communicate

with officials of the Orthodox Church and claim that the attitude of the Orthodox Church toward their faiths has increased social intolerance toward their religions. The Orthodox Church has issued a list of practices and religious groups, including members of Jehovah's Witnesses, Evangelical Protestants, Scientologists, Mormons, Baha'is, and others, which it believes to be sacrilegious. Officials of the Orthodox Church have acknowledged that they refuse to enter into dialog with religious groups considered harmful to Orthodox worshippers; church leaders instruct Orthodox Greeks to shun members of these faiths.

A new Jewish museum opened in Thessaloniki in early March 2001 and the Jewish community in Thessaloniki and authorities officially inaugurated it in May 2001. A temporary Anne Frank exhibition was displayed in Thessaloniki in April 2001, and a Holocaust Museum and Memorial was dedicated in April 2002.

In April 2002, vandals desecrated the Jewish Cemetery in Ioannina and the Holocaust Memorial in Thessaloniki.

Section IV. U.S. Government Policy

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. Embassy officers meet regularly with working-level officials responsible for religious affairs in the Ministries of Foreign Affairs and Education and Religious Affairs. The Ambassador and Political Counselor discussed religious freedom with senior government officials and religious leaders. The U.S. Embassy also regularly discusses religious freedom issues in contacts with other government officials, including mayors, regional leaders, and Members of Parliament. Officers from the Embassy and the Consulate General in Thessaloniki meet regularly with representatives of various religious groups, including the Greek Orthodox Church, and the Protestant, Catholic, Jewish, and Islamic communities. In an October 2001 meeting with Orthodox religious leaders, the Ambassador severely criticized racist and anti-Semitic comments made by Orthodox Church officials. In early 2002, the Ambassador met with leaders of the Muslim and Christian communities in Thrace for the second time in 34 years. The U.S. Embassy investigates every complaint of religious discrimination brought to its attention.

Employees of the U.S. Embassy's consular section assisted Bible Baptist clergy to receive permission to visit all prisoners, not only those of the Baptist faith. The consular section also has followed actively issues relating to religious workers' visas and property taxes.

The U.S. Embassy and Consulate promote and support initiatives related to religious freedom. For example, Embassy staff has gathered leaders of the religious minority groups in Athens together for representational dinners. In December 2001, the Ambassador hosted an Iftar dinner during the holy month of Ramadan for members of the Muslim community. Participants noted the uniqueness and the value of such gatherings in the country.

The Ambassador and embassy officials regularly visit religious sites throughout the country and meet with representatives of all faiths, soliciting their participation in Embassy social events.

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