



United Macedonian Diaspora (UMD) Executive Summary
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Greece: Religious Freedom Abuses - The Case of the Macedonian Orthodox Christian Minority

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1. Legal framework concerning religious freedom in Greece

- In Greece, there is **no formal or informal separation of Church and State** and this is also expressed in the Greek Constitution. The Church is deeply embedded in Greek society and plays a role in the policy-making process. Specifically, the Constitution contains provisions where the Greek Orthodox Church is defined as the main religion under Article 3 (Relations of Church and State) of the Constitution, which states: “*The **prevailing religion** in Greece is that of the Eastern Orthodox Church of Christ.*” Thus, under the Greek Constitution, the Greek state pays for the Greek Orthodox Clergy’s salary, finances the maintenance of Orthodox Church buildings, provides a tax exemption for the Orthodox Church’s property revenues and subsidizes Orthodox Church activities.
- The Greek Orthodox Church operates as a state-funded enterprise. The Orthodox Church has a seat in the Parliament, and the clergy are nominally considered public servants.
- The Constitution, under Article 13 (Religion), strictly **forbids proselytism**.
- The law prohibits cremation, as it is not allowed in the Greek Orthodox doctrine.
- The law prohibits erections of temples for the followers of other sects and/or religions to congregate, therefore, outlawing the freedom to practice their religions. In order to legally practice one’s religion, it must be a “known religion”. But to constitute a ‘known religion’, it has to be a ‘religion/doctrine’ approved by the government and the Greek Orthodox Church. The religious groups, therefore, must be registered as “legal entities of private law”. On the other hand, in order to own places of worship, they must be registered as corporate legal entities/non-profit organizations. The only recognized “legal entities of private law” in Greece are the Jews and Muslims. The other groups, such as the Roman Catholics, Macedonian Orthodox Christians, members of The Church of Jesus Christ of Latter-day Saints (Mormons), Jehovah’s Witnesses, Protestants, Scientologists, Baha’is, etc., are not and, therefore, **cannot freely practice their religions**.
- Greek Orthodoxy is deeply embedded within the Greek education system, as the “obligation of the state [is] to shape the national and religious conscience of citizens”¹ through a mandatory two-year Greek

¹ Katakos, Stratis. “State and Church in Greece. A Greek Paradox.” *Separation of Church and State in Europe with views on Sweden, Norway, the Netherlands, Belgium, France, Spain, Italy, Slovenia and Greece*. European Liberal Forum. Brussels, 2008. P.180.

Orthodox religion class in the public education system.

- The involvement of the Greek Orthodox Church is displayed in the longstanding tradition to expose the religious identity of the holder on the national identification cards of all

Greek citizens. This, until its recent repeal, further encourages **discrimination against all non-Greek Orthodox**. Some of these cards are still in circulation, as they have not yet expired.

2. General overview of religious freedom abuses in Greece

Overview of international Treaties relating to religious freedom Greece is a party of, but does not abide by (or largely disregards):

- Universal Declaration on Human Rights – signed in 1948;
- Framework Convention for the Protection of National Minorities (FCNM) was signed in February 1995 – *but not ratified*;

- European Convention on Human Rights (ECHR), Article 9, Freedom of thought, conscience and religion – *not signed or ratified*;
- Convention on the Prevention and Punishment of the Crime of Genocide;
- International Covenant on Economic, Social and Cultural Rights;
- International Covenant on Civil and Political Rights.

European Court of Human Rights: Noteworthy Trials Against Greece (For more examples, please visit the European Court of Human Rights, Country Profile - Greece, p.3-4).

- *Dimitras and Others v. Greece*
3 June 2010 - Applicants' complained that they had been obliged to reveal their "non-Orthodox" religious convictions to avoid taking oath on Bible in court. (Violation of ECHR, Article 9, freedom of thought, conscience and religion; Violation of ECHR, Article 13, right to an effective remedy);
- *Alexandridis v. Greece*
21 February 2008 - Applicant, a lawyer, complained that when taking the oath of office he had been obliged to reveal that he was not an Orthodox Christian (Violation of ECHR, Article 9, right to freedom of thought, conscience and

religion; Violation of ECHR, Article 13, right to an effective remedy);

- *Kokkinakis v. Greece*
25 May 1993 - Applicant, a Jehovah's Witness, was arrested more than 60 times for proselytizing (Violation of ECHR, Article 9, right to freedom of thought, conscience and religion);
- *Zeibek v. Greece*
9 July 2009 - Refusal to grant the applicant, a Greek citizen and a Muslim, a pension payable for life as the mother of a large family (Violation of ECHR, Article 1 of Protocol No. 1, protection of property, taken alone and together with ECHR, Article 14.

3. The grievances experienced by the immigrants and the Muslim (Turkish) minority in Greece

According to the Human Rights Watch report *Hate on the Streets: Xenophobic Violence in Greece*² published in July 2012, "...victims of serious attacks included migrants and asylum seekers of nine different nationalities and two pregnant women. Patterns emerge from the victim testimonies: most of the attacks take place at night, on or near town squares; attackers, who include women, work in groups, and are often dressed in dark clothing with their faces obscured by cloth or helmets; bare-fisted attacks are not uncommon, but attackers also often wield clubs or beer bottles as weapons; most attacks are accompanied by insults and exhortations to leave Greece, and in some cases the attackers also rob victims...Nationalist, far right-wing parties such as Golden Dawn have in recent years gained strength and popularity largely because of their exploitation of anti-immigrant sentiment."

Other examples include testimonies from survivors of xenophobic attacks. One such testimony was illustrated in the Report in which Mina Ahmad, a 20-year-old Somali woman, accounts of her attack by a group of men in October 2011 near the Aghios Panteleimonas church in Athens. She describes the attack: "They asked me first, 'Where are you from?' I said Somalia. When I

answered they tried to take my daughter away... They hit me on my head with a wooden stick... I fell down bleeding. When I fell down and they saw I was bleeding they ran away. My daughter was crying. All the people [around at the time of the attack] they were watching but nobody helped me. I didn't go the hospital...It didn't matter if I was hurt. I just thought about the baby and my daughter. She was with her infant daughter and was six months pregnant."

The only group recognized by the Greek authorities is the Muslim minority in Western Thrace, whereas the presence of all other groups is repeatedly being denied. However, the Turkish minority continues to face hardships in the area of religious freedoms. Greece does not recognize the right of the Turkish minority to freely elect its own religious leaders - or muftis. Rather, Greek authorities continue to impose their self-appointed "Muftis" on the Turkish minority in contravention of the 1923 Treaty of Lausanne, European as well as international human rights instruments.

Muftis elected by the Turkish minority have been prosecuted and imprisoned by Greek authorities. For example, the elected Muftis of Xanthi (such as Mehmet Emin Aga) and Komotini (such as Ibrahim Serif) were not recognized by the Greek government and have been persecuted several times under the Greek penal code. The European Court of Human Rights held that these

prosecutions violated Article 9 of the Convention (the right of freedom of thought, conscience and religion). In addition, the government also continues to appoint the executive boards of Muslim Charitable Foundations - or Waqfs, which constitute an essential part of the minority's cultural, historical and religious heritage. The Waqf properties continue to be unlawfully expropriated and Greek authorities impose excessive

taxes and legal sanctions to the charitable foundations. Recently, a church was illegally built on the Waqf property near Nimfea (or, Yanikkoy), which Greek authorities took no action to impede. Another example is the demolition of a 600-year-old mosque in Komotini by the Greek state in 1989.

4. The status of the Macedonian Orthodox Christian minority in Greece

The Greek legal system is structured in such a way that it exacerbates the national narrative. This narrative stipulates that to be Greek it means one must identify oneself as Greek in terms of ethnicity and nationality **and** be of the Greek Orthodox religion. All other groups that do not fall into this narrow category are stripped off their basic human rights; which ought to be guaranteed according to the Treaties and conventions signed by Greece.

One such group is the minority in the Northern province of Greece, which in terms of its ethno-national identity defines itself as Macedonian, and is of the Macedonian Orthodox Christian faith. Consequently, not falling into the Greek national narrative, it is heavily discriminated against.

For more than a century, the Greek Orthodox Church has played a key role in this project, threatening Macedonian citizens, via public threats such as the frequent calls for violence against Macedonians by Bishop Anthimos of Thessaloniki. The Greek Orthodox

Church imposes procedural impediments such as refusing to baptize children with

Macedonian names, and establishes a network of informants to coordinate with state police on any human rights activities in villages and towns, etc.

A prime example of the abuse of religious freedom rights of the Macedonian minority is the institutional struggle of the Archimandrite Nikodim Tsarknias, a monk of the Macedonian Orthodox Christian faith. As an ethnic Macedonian and Greek citizen, he was an ordained member of the Greek Orthodox Church from 1973 until 1991. While working for the Florina Diocese's Bishop Augustine, Archimandrite Tsarknias disclosed his Macedonian identity and opposed Augustin's attempt to eradicate Macedonian religious customs. This resulted in his excommunication from the Greek Orthodox Church.

According to the Human Rights Watch Report, *Denying Ethnic Identity – the*

Macedonians of Greece,³ “criminal charges have been brought against Father Tsarnkias in connection with a reportedly peaceful demonstration. Father Tsarnkias told the fact-finding mission: Following an incident on New Year's Day, January 1, 1992, in which the bishop of the area was booed by the local congregation, the public prosecutor brought criminal charges against me... Meanwhile an ecclesiastical court consisting of five bishops has stripped me of my priesthood for having "incited the events of January 1, 1992," and "organized with other priests to overthrow the bishop."

After becoming an ordained member of the Macedonian Orthodox Church, he continued to suffer structural discrimination by the Greek state and society. Since the early 1990s, Archimandrite Tsarnkias has been publicly ridiculed on national television as well as the mainstream media in Greece, by calling him a homosexual and a self-proclaimed “bishop” of the “Church of Skopje” (referring to the Macedonian Orthodox Church). On one occasion, he was also beaten in front of the courtroom for wearing the Macedonian Orthodox Christian religious garments. Archimandrite Tsarnkias has been fined by the government numerous times and has spent more than \$ 50,000.00 in court proceedings. He has also been imprisoned on the basis of conducting ‘unauthorized religious services’ (i.e. in the Macedonian language) and even spent more than three months in jail. In addition to the physical abuse, his house was stoned several times by the local population and members of the neo-Nazi

political party, Golden Dawn, causing a considerable material damage to his property. His trials attracted the attention of several human rights organizations and international observers, and in this process he has enjoyed the support of the U.S. Consulate in Thessaloniki.

As a result of longstanding propaganda by both the Greek government and the Greek Orthodox Church, Archimandrite Tsarnkias continues to experience difficulties in his spiritual duties to the ethnic Macedonian minority.

In the words of the former Greek Prime Minister, Kostas Karamanlis, “there is *no* “Macedonian” minority in Greece. There has *never* been...” Hence, *the problem of the Macedonian religious minority in Greece is one that has deeper historical and ethno-political roots. It is a problem embedded in the Greek denial of the existence of the Macedonian identity and people.*

³<http://www.hrw.org/sites/default/files/reports/GREECE945.PDF>