

OSCE

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**Session III: Places of Worship**

Name of the Organization: Federation of Western Thrace Turks in Europe (ABTTF)

Main contact person(s): Fatma Reşit, Melek Kırmacı and K. Engin Soyyılmaz

E-mail: [fatma.resit@abtff.org](mailto:fatma.resit@abtff.org), [melek.kirmaci@abtff.org](mailto:melek.kirmaci@abtff.org), [info@abtff.org](mailto:info@abtff.org)

Dear President,  
Distinguished representatives  
And esteemed NGO Delegates,

*Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief* states that the right to freedom of thought, conscience, religion or belief shall include, inter alia, the freedom to worship or assemble in connection with a religion or belief, and to establish and maintain places for these purposes. And, the participating States will establish and maintain freely accessible places of worship or assembly.

In Greece, the right to freedom of religion or belief is guaranteed by the Constitution. The freedom of religious conscience is inviolable and the enjoyment of civil rights and liberties does not depend on the individual's religious beliefs (Article 13.1). Article 13.2 of the Constitution of Greece states:

“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.”

But while freedom of worship is guaranteed by the Constitution of Greece, which is a member of the European Union, Athens is the only European capital which does not have a proper mosque or cemetery to serve its more than 300,000 Muslim residents, mainly from various parts of northern Africa and Pakistan.

Even though there are mosques in the old part of Athens known as Plaka, e.g. the Fethiye or victory mosque dating back to 1458, today these buildings are not allowed to be used by Muslim prayers. Thousands of Muslims, living in the city of Athens, have been using abandoned factories and converted coffee shops as makeshift prayer houses for years. Today, there are approximately 150 illegal mosques operating across the Greek capital.

In 2007, the Greek government unveiled a bill for the construction of the mosque, which would be built on a large plot of land owned by the Greek Navy. A previous proposal to build a mosque near Athens' International Airport ahead of the 2004 Olympics was blocked following objections by residents and opposition from the Greek Orthodox Church.

Today, the only operating mosques in Greece are in the region of Western Thrace, where the Muslim Minority\*, which is the only officially recognized minority in Greece, has an estimated population of 150.000. By the Constitution of Greece, the persons belonging to the Turkish Minority of Western Thrace- who believe the known religion of Islam- shall perform their religious duties, with the condition of not offending public order or the good usages.

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\*The Minority, which is the only officially recognized minority by the Greek State, is the Muslim Minority of Greece. Although the Lausanne Treaty of 1923, which established the status of the Minority, does not specifically mention the ethnic identity of the Minority in Western Thrace, there is a specific reference to the Turkish ethnic identity of the Minority in legal and international documents.

Although the *Document of the Copenhagen Meeting of Representatives of the Participating States of the Conference on the Human Dimension of the Conference on Security and Co-operation in Europe* states that persons belonging to national minorities have the right to establish and maintain their own education, cultural and religious organizations or associations, the Turkish Minority of Western Thrace and of Rhodes and Kos islands still faces serious difficulties in construction or operation of mosques. The Turkish Minority in Rhodes and Kos encounter restrictions in practicing their religion. Only one of the still existing 12 mosques in Rhodes is open for religious services. For many years in Western Thrace, Muslim places of worship, mosques which were in need of repair could not be repaired because the authorities did not grant permits.

To bring into conformity with the case-law of the European Court of Human Rights, Greece restricted the competent authorities' discretion in granting an administrative authorization for the construction or the operation of places of worship to the formal conditions laid down by the applicable legislation. In connection with the right to build and use temples and places of worship, Article 27 of Law 3467/2006 abolished a legislative provision according to which the opinion (of a non-binding character) of the local Orthodox Bishop was to be sought for the issue of a permit to build and to operate a non-Orthodox place of worship.

However, the Turkish Minority of Western Thrace has still difficulties when new mosques are built, particularly in respect of the height of minarets. The height of a minaret should not exceed the bell tower of churches, which is 7.5 meters. Only the principle to the effect that the local authorities responsible for urban planning should issue permits in such cases should be retained and implemented in the light of the non-discrimination principle in exercising the right to freedom of religion.