

Shariah and religious autonomy of Muslims in Thrace debated at a conference in Komotini

HRWF (21.05.2015) - "The religious freedoms of the Muslim minority are fully respected," the Greek Foreign Ministry spokesperson, Konstantinos Koutras, declared on 13 May on the website of the ministry in response to a journalist's question regarding a conference organized in Komotini by the Federal Union of European Nationalities (FUEN).

This assertion was widely contested by the guest-speakers and participants in FUEN's international congress.

Among several pressing issues concerning the Muslim minority in Greece is the state's refusal to recognise the muftis elected by the Muslims of the Thrace region. However the Greek state recognises the religious leaders elected by the Christian and Jewish communities. For almost 70 years (since the Lausanne Treaty in 1923 signed at the end of the Greek-Turkish war of 1919-1922) the muftis were always appointed upon agreement between the elite of the Muslims of Thrace and the government, which was already a breach of their autonomy guaranteed by the treaty. The situation of the Muslim minority worsened in 1991, when the Greek parliament adopted a law putting an end to the mutual agreement on the appointment of the muftis and started appointing its own muftis despite the opposition of the concerned communities. Two elected mufti by the Muslims of the Trace region were soon prosecuted and sentenced to prison terms, subsequently converted into fines.

Muftis Ibrahim Sherif and Mehmet Agga filed a complaint with the European Court of Human Rights. In December 1999, the European Court declared that Ibrahim Sherif's conviction amounted to an interference with his right under Article 9.1 of the European Convention and the said article protecting religious freedom had been violated. Greece paid 2.7 million drachmas as financial compensation but neither repealed or amended the 1920/1991 Law and did not abandon its discriminatory policy.

The main argument of the Greek state against the recognition of the elected muftis is that they hold a number of judicial powers but this had been the case since 1923 and there had never been any complaints previously. The press release of the Ministry of Foreign Affairs says in this regard: "Thrace is the only region in the European Union where Islamic Sacred Law, too, is in force. The implementation of Sharia is also the reason why the Greek state participates in the process of choosing the Muftis of Thrace, as they, beyond their religious duties, also have judicial powers; a process that, moreover, is also followed in most Muslim countries."

The Muslim community of Thrace denies that the Greek state only 'participates' in the choice of their muftis as the appointments have been unilateral state decisions for 25 years.

Since Kemal Atatürk, muftis in Turkey have not exercised any judicial powers and this function is not a "sacred cow" for the remnants of the Turkish populations who decided to go on living on the lands of an independent Greece after the collapse of the Ottoman Empire.

Muslims in Thrace and defenders of their religious autonomy are open to a peaceful dialogue without any taboo with the Greek authorities on the functions of their muftis and the so-called "shariah issue". An exciting challenge for the new Syriza-led government who claims to want to be different from its predecessors. The European Court and the European Union would certainly appreciate Greece's new political will to draw the conclusions of its judgments in the muftis' cases and to implement its decisions

in three other cases about the banning of associations because of the use of the word "Turkish" in their denomination.